



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 FEBRUARY 15, 2023, 6:00 PM  
REGULAR MEETING OF THE HYDE PARK PLANNING BOARD**

**MEMBERS PRESENT:**

**ANNE DEXTER - VICE CHAIR  
CHRISTOPHER OLIVER – VICE CHAIR  
JOHN GUERCIO, JR  
STEPHANIE WASSER  
ROBERT WATERS  
ANN WEISER**

**MEMBERS ABSENT: MICHAEL DUPREE – CHAIRMAN**

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

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<b>TABLE OF CONTENTS</b>	<b>PAGE</b>
<b>BELLEFIELD PUD PHASE II SUBDIVISION</b>	<b>2-</b>
<b>BELLEFIELD PUD PHASE II FINAL DEVELOPMENT PLAN</b>	<b>-</b>
<b>MASKELL LOT-LINE ALTERATION</b>	<b>-</b>
<b>PHANTOM FIREWORKS</b>	<b>-</b>
<b>MASENHEIMER &amp; FRUGE</b>	<b>-</b>
<b>FIRLINGS, CARL</b>	<b>-</b>

*The Chairman and Consulting Engineer and Planner were off for the night and Vice-Chair Oliver stood in as acting Chair.*

**Vice-Chair Oliver:** I'd like to welcome everyone to the February 15<sup>th</sup> Hyde Park Planning Board Meeting. We start off with the *Pledge of Allegiance*.

**PLEDGE OF ALLEGIANCE**

*Vice-Chair Oliver led the Pledge of Allegiance.*

**NEW PUBLIC HEARING:**

**Vice-Chair Oliver:** The first item on the agenda tonight is a new public hearing for Bellefield PUD Phase II subdivision. May I get a motion to open the public hearing?

**BELLEFIELD PUD PHASE II SUBDIVISION**

Major Subdivision Approval 8 lots (#2022-28)

Location: 15 West Dorsey Lane, Hyde Park, NY 12538

Grid#: 6163-01-131849

**MOTION: Vice-Chair Dexter**

**SECOND: Ms. Wasser**

**To open the public hearing for Bellefield PUD Phase II Subdivision.**

<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>Absent</b>	<b>Chairman Dupree</b>

**VOICE VOTE      Aye-6   Absent-1   Nay-0                      Motion Carried**

**Ms. Polidoro:** For the subdivision we have a few outstanding comments. We have a call scheduled with the applicant on Friday to go over some of the cross access easements, the parking easements and how all of that is going to work amongst the lots. There are some townhouse lots that will have private parking and then some of the commercial lots and we need to work out the details on how all of those things are going to be shared. I recommend continuing the public hearing tonight to the Board's next meeting, which is March 1<sup>st</sup>, 2023.

*There were no additional Board Member or consultant comments.*

*There were no public comments.*

**MOTION: Vice-Chair Dexter**  
**SECOND: Ms. Wasser**

**To adjourn the public hearing for Bellefield PUD Phase II Subdivision to March 1, 2023.**

<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>Absent</b>	<b>Chairman Dupree</b>

**VOICE VOTE      Aye-6   Absent-1   Nay-0                      Motion Carried**

**CONTINUED PUBLIC HEARING:**

**BELLEFIELD PUD PHASE II FINAL DEVELOPMENT PLAN**

Final Development Plan Approval (#2022-27)

Location: 15 West Dorsey Lane, Hyde Park, NY 12538

Grid#: 6163-01-131849

**Vice-Chair Oliver:** May I get a motion to re-open the public hearing for Bellefield PUD Phase II Final Development Plan?

**MOTION: Vice-Chair Dexter**  
**SECOND: Ms. Wasser**

**To re-open the public hearing for Bellefield PUD Phase II Final Development Plan.**

<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>Absent</b>	<b>Chairman Dupree</b>

**VOICE VOTE      Aye-6   Absent-1   Nay-0                      Motion Carried**

**Ms. Wasser:** I assume these are the revisions in front of us that we got today.

**Ms. Polidoro:** So, the applicant just today submitted the new updated site plans which are supposed to respond to all of the Board's comments on the last

iteration. You'll recall, there was, I believe a 10 page comment memo on site details that needed to be addressed. I haven't had a chance to look at them yet.

*There were no additional Board Member or consultant comments.*

*There were no public comments.*

**MOTION: Vice-Chair Dexter**

**SECOND: Ms. Wasser**

**To adjourn the public hearing for Bellefield PUD Phase II Final Development Plan to March 1, 2023.**

<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>Absent</b>	<b>Chairman Dupree</b>

**VOICE VOTE      Aye-6   Absent-1   Nay-0                      Motion Carried**

**WORKSHOP:**

**MASKELL LOT-LINE ALTERATION**

Minor Subdivision Approval 2 lots (#2022-58)

Location: 6 N. Cross Rd. & 5146 Albany Post Rd., Staatsburg, NY 12580

Grid #: 6167-03-182180, -093172

*In Attendance:*

*Josh Maskell, Applicant & Property Owner*

*Katie Dolan*

*Patrick Miglio, Surveyor*

**Vice-Chair Oliver:** Next on the agenda is the Maskell lot-line alteration. Come on up. Would you be able to provide us with an update on the revised sketch plan?

**Mr. Miglio:** Since we last say you in November, we've made some progress on the end of Hillcrest Terrace, where the road wasn't built, from the original subdivision plan. Apparently the Town Board has recommended conveying that parcel to Josh Maskell. And kind of in exchange, the new hatched area would be the new cul-de-sac of Hillcrest Terrace which would be a permanent easement versus a fee conveyance. That is the majority of the changes on here, besides some of Tad's comments, with the wetland offset. I think that was most of them.

*There was a discussion about the Road specification requirements in the Code for a road to end in a cul-de-sac or Hammerhead. These standards will need to be addressed. The Board will request input from the Fire Department and Highway Superintendent.*

**RESOLUTION TO ACCEPT FOR SKETCH  
Maskell Lot Line Alteration**

**Date: February 13, 2023**

**Moved By: Mr. Guercio, Jr.**

**Resolution #: 2022-58**

**Seconded By: Vice-Chair Dexter**

WHEREAS, the applicant, Joshua K. Maskell, has submitted an application to alter the lot lines between a 6.3 acre lot (6167-03-093172), a 12.4 acre lot (6167-03-182180) and an unbuilt portion of Hillcrest Terrace to create a new 8.528 acre parcel and a new 9.605 acre parcel located at 5146 Albany Post Road and 6 North Cross Road, the ("Property"), in the Neighborhood Zoning District (the "Project"); and

WHEREAS, the Project is depicted on plans entitled, "Preliminary Lot Line Adjustment Map" prepared by the Patrick J. Miglio, last revised 02/09/2023 (the "Sketch Plat"); and

WHEREAS, the applicant has submitted a Short Environmental Assessment Form ("EAF") dated October 18, 2022, pursuant to the State Environmental Quality Review Act ("SEQRA"); and

WHEREAS, in accordance with SEQRA, said Board is required to determine the classification of the proposed Project; and

WHEREAS, pursuant to 6 NYCRR 617.2(al), all actions not identified as a Type I or Type II action are Unlisted actions; and

WHEREAS, pursuant to Section 96-12C of the Subdivision Law, the Planning Board is required to determine whether the sketch plan may be accepted as adequate for further review by the Planning Board and, where necessary, to make specific recommendations to be incorporated into future submissions.

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

- 1. Classifies the Project as an Unlisted Action and declares its intent to serve as Lead Agency in a coordinated review of the Project.**
- 2. Directs its Secretary to circulate notice of its intent to serve as Lead Agency to all involved and interested agencies.**
- 3. Classifies the Project as a Minor Subdivision pursuant to Section 96-4 of the Subdivision Law.**

4. Accepts the Sketch Plan in accordance with Section 96-12C of the Subdivision Law, and requests that the following information be added to the final plat:
  - i. Revision of the Zoning Table to include existing and proposed road frontages.
  - ii. Revision of the Plat to include a signature line for the Town of Hyde Park as owner of Hillcrest Terrace.
  
5. Directs its Secretary to refer the application to the Highway Superintendent for a determination as to whether the street is in compliance with Appendix Chapter A111, Road Standards and Subdivision Law 96-6(C)(6).

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

Voice Vote                      Aye-6    Absent-1    Nay-0                      Motion Carried

**Involved and Interested Agencies**

Town of Hyde Park Town Board  
 Town of Hyde Park Highway Superintendent  
 NYS Department of Transportation (pursuant to § 96-13E)  
 Dutchess County Department of Public Works (pursuant to § 96-13E)  
 Roosevelt Fire District

**MOTION: Vice-Chair Dexter**  
**SECOND: Ms. Wasser**

**To set a public hearing for the Maskell Lot-Line Alteration for March 1, 2023.**

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

**VOICE VOTE                      Aye-6    Absent-1    Nay-0                      Motion Carried**

**OTHER BUSINESS:**

**PHANTOM FIREWORKS**

Site Plan Waiver Approval (#2023-03)

Location: 3969 Albany Post Road, Hyde Park, NY 12538

Grid#: 6064-04-967195

**Vice-Chair Oliver:** Other business, we have Phantom Fireworks. We are considering the Zoning Administrator’s recommendation to grant a site plan waiver for the temporary retail location for Phantom Fireworks at 3969 Albany Post Road. Ms. Moss do you have any comments.

**Ms. Moss:** This is a waiver and temporary signage that we’ve done for several years. It’s the same location that it’s been in the past, between the beverage center and what used to be Easy Street or Coco’s.

**Phantom Fireworks Eastern Region / Gardner Van Valkenberg  
6064-04-967195  
3969 Albany Post Road  
SITE PLAN Waiver  
Town Code Section 108-9.4 C 1 & 2**

**February 15, 2023**

**Resolution #: 2023-03**

**Moved By: Ms. Wasser**

**Seconded By: Ms. Weiser**

***Whereas, a request for Site Plan Waiver has been made to the Town of Hyde Park Planning Board by Vincent Szabo, Phantom Fireworks Eastern Region, LLC on February 3, 2023, for approvals as required to establish a temporary sales venue for Sparkling Devices, and***

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

*Whereas, the applicant has leased a location previously approved and developed under site plan for Park Discount Beverage, and*

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

*Whereas, Section 108-9.4 C 1 & 2, allow the Planning Board to waive items of required information and to waive procedures required to obtain site plan approval, 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 temporary change as submitted on January 26, 2023, and on drawings for as submitted and that such request is to be incorporated into the record.***

Absent 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-6   Absent-1   Nay-0      Motion Carried

**MASENHEIMER & FRUGE**

Site Plan Waiver Approval Exterior Alterations (#2023-04)  
Location: 67 Fuller Lane, Hyde Park, NY 12538  
Grid#: 6064-02-621948

**Vice-Chair Oliver:** Next on the agenda is Masenheimer and Fruge for a site plan waiver for the approval of exterior alterations at 67 Fuller Lane in the SASS (Scenic Area of Statewide Significance).

**TOWN OF HYDE PARK PLANNING BOARD**

**David Masenheimer and Romain Fruge**

6064-02-621948

67 Fuller Lane

**SITE PLAN Waiver**

*Town Code Section 108-9.4 C 2*

**Date: February 15, 2023**  
**Resolution: 2023-04**

**Motion by: Vice-Chair Dexter**  
**Seconded by: Mr. Waters**

***Whereas,*** a request for Site Plan Waiver has been made to the Town of Hyde Park Planning Board by David Masenheimer and Romain Fruge for alterations to their home. The house is located at 67 Fuller Lane, and,

***Whereas,*** the Planning Board has reviewed the request for this change in the Historic Overlay District, and

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

***Whereas,*** the repairs meet the zoning code setback requirements, and

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

***Whereas,*** the Zoning Administrator has recommended that for this change it is appropriate to waive the site plan requirements, 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 repairs as described in the building permit received by the Building Department January 18, 2023, and per the request to the Planning Board dated February 14, 2023.

Absent	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-6 Nay-0 Absent-1**                      **Motion Carried**

**FIRLINGS, CARL**

Site Plan Waiver Approval above-ground pool & deck (#2023-05)  
 Location: 6 Ravine Road, Hyde Park, NY 12538  
 Grid#: 6064-08-922761

**Vice-Chair Oliver:** Next on the list is Firlings, Carl site plan waiver approval for an above-ground pool and deck at 6 Ravine Road.

**TOWN OF HYDE PARK PLANNING BOARD**

**Carl Firlings  
 6 Ravine Road  
 6064-08-922761**

**SITE PLAN Waiver  
 Town Code Section 108-9.4 C 2**

**Date: February 15, 2023  
 Resolution #: 2023-05**

**Moved By: Mr. Waters  
 Seconded By: Mr. Guercio, Jr.**

***Whereas***, a request for Site Plan Waiver has been made to the Town of Hyde Park Planning Board by Carl Firlings to replace the existing above ground pool with a new 24' round above ground pool with deck at the existing single family home.

***Whereas***, the Planning Board has reviewed the request for this change in the Historic Overlay District, and

***Whereas***, the change is not significant in nature and is in character with the neighborhood, and

***Whereas***, the addition will not be visible from the Hudson River, 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, and

***Whereas***, the Planning Board has reviewed the request submitted by the applicant and has received a recommendation from the Zoning Administrator.

***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 Application dated January 6, 2023 and the request for a waiver of site plan received by the Planning Department on February 15, 2023.

Absent	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-6 Nay-0 Absent-1**                      **Motion Carried**

**ADJOURNMENT :**

**Vice-Chair Oliver:** May I get a motion for adjournment?

**MOTION: Vice-Chair Dexter**

**SECOND: Ms. Weiser**

**To adjourn.**

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

**VOICE VOTE**                      **Aye-6 Absent-1 Nay-0**                      **Motion Carried**

**Vice-Chair Oliver:** Thank you all.