



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 16, 2022, 6:00 PM
PUBLIC HEARING/WORKSHOP/REGULAR MEETING OF
THE HYDE PARK PLANNING BOARD**

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

**OTHERS PRESENT: VICTORIA POLIDORO, PB CONSULTING ATTORNEY
PETER SETARO, PB CONSULTING ENGINEER
BONNIE FRANSON, PB CONSULTING PLANNER
KATHLEEN MOSS, ZONING ADMINISTRATOR
CYNTHIA WITMAN, PB SECRETARY**

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Chairman Dupree: Good Evening everyone and welcome to the February 16th meeting of the Hyde Park Planning Board. First let me congratulate and thank the illustrious Vice-Chair, Anne Dexter for running a superb meeting while I was away. Let me also point out that this meeting is held under an emergency executive order by the Governor, which has been extended through March 16th, which allows public officers to meet virtually as we are doing now. Let me first, before we start, confirm that every Board Member and alternate, is either alone or without someone trying to tell you how to vote.

Mr. Guercio: Yes. I'm alone.

Ms. Wasser: I am alone.

Ms. Weiser: I'm alone.

Mr. Kane: I'm alone.

Vice-Chair Dexter: I'm alone.

Mr. Waters: I'm alone.

Mr. Oliver: I'm alone.

Chairman Dupree: Let me welcome Mr. Kane as well, our brand-new Planning Board Alternate. A quick aside, our other Alternate is named Victoria Kane, but they are not related, just so everyone knows. Please join me first in a pledge to the American Flag.

The Chairman led the Pledge of Allegiance.

PLEDGE OF ALLEGIANCE

CONTINUED PUBLIC HEARING:

CAMP VICTORY LAKE MASTER PLAN & PHASE 1 CHURCH

Site Plan & Special Use Permit Approvals (#2018-66)

Location: 277 Crum Elbow Road

Grid#: 6265-04-630350

In attendance via Zoom:

Peter Sander, Rennia Design

Deanna Lambert, Northeast Conference Corp

MOTION: Ms. Wasser

SECOND: Ms. Weiser

To re-open the public hearing for Camp Victory Lake Master Plan and Phase 1 Church.

Aye Ms. Weiser

Aye Mr. Waters

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

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

There was no public comment.

MOTION: Mr. Oliver
SECOND: Ms. Wasser

To adjourn the public hearing for Camp Victory Lake Master Plan and Phase 1 Church to May 18, 2022.

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

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

WORKSHOP:

HYDE PARK TOWN CENTER NORTH- BUILDING #2

Site Plan Approval (#2022-04)
Location: 4272-4288 Albany Post Road
Grid #: 6065-04-933017

In attendance via Zoom:

Kelly Libolt, KARC
Amy Argyrakis, KARC

RESOLUTION CLASSIFYING THE ACTION AND REFERRING THE APPLICATION TO THE DUTCHESS COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT, THE DUTCHESS COUNTY DEPARTMENT OF BEHAVIORAL AND COMMUNITY HEALTH, AND THE DUTCHESS COUNTY WATER AND WASTEWATER AUTHORITY

Hyde Park Town Center North – Building 2

Date: February 16, 2022

Moved By: Mr. Oliver

Resolution#: 2022-04

Seconded By: Ms. Weiser

WHEREAS, the applicants, N & N Hyde Park LLC, have submitted an application for site plan amendment approval to establish an office use in an existing building identified as Building 2 located in an existing shopping center and other related site plan improvements (the "Project") on property located at 4272-4288 Albany Post Road, tax parcel no. 6065-04-933017, in the Town Core/PW-2 Zoning District (the "Property"); and

WHEREAS, the Project is depicted on a site plan entitled, "Building 2 Demo and Modification Plan," prepared by Berger Engineering and Surveying, dated January 13, 2022, and elevations entitled, "Hyde Park Office," prepared by DeGraw & DeHaan Architects, dated December 10, 2021 (collectively, the "Site Plan"); and

WHEREAS, the Site Plan depicts a future project identified as Ready Coffee for reference only and which is not being approved or considered as part of this Site Plan application; and

WHEREAS, general commercial uses are permitted in the Town Core/PW-2 Zoning District subject to site plan approval; and

WHEREAS, the applicant has submitted a Short Environmental Assessment Form ("EAF") dated January 14, 2022, pursuant to the State Environmental Quality Review Act ("SEQRA"); and

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

WHEREAS, pursuant to 6 NYCRR 617.5(c)(18), the reuse of a residential or commercial structure, or of a structure containing mixed residential and commercial uses, where the residential or commercial use is a permitted use under the applicable zoning law or ordinance, is a Type II action under SEQRA; and

WHEREAS, the Project is located within 500 feet of New York State Route 9, also known as Albany Post Road; and

WHEREAS, pursuant to Section 239-m of the General Municipal Law, projects located within 500 feet of a state highway must be referred to the Dutchess County Department of Planning and Development for a report and recommendation thereon; and

WHEREAS, pursuant to a memorandum dated February 27, 2018 from Jason W. Teed, PE at the Dutchess County Department of Behavioral and Community Health, Building 2 "must not be occupied until plans are submitted to, and reviewed and approved by [the Dutchess County Department of Behavioral and Community Health] and construction compliance is granted"

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

- 1. Classifies the Project as a Type II action under SEQRA.**
- 2. Directs its secretary to refer the Site Plan to the Dutchess County Department of Planning and Development pursuant to Section 239-m of the General Municipal Law.**

3. Directs its secretary to refer the Site Plan to the Dutchess County Department of Behavioral and Community Health, Dutchess County Water and Wastewater Association and Hyde Park Fire District .

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

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

MOTION: Mr. Oliver
SECOND: Vice-Chair Dexter

To set a public hearing for Hyde Park Town Center North-Building #2 for April 6, 2022.

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

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

CRANSTON GM PV PANELS

Site Plan Approval ground mounted photovoltaic panels (#2021-51)
Location: 162 Crum Elbow Road, Hyde Park, NY 12538
Grid #: 6265-03-073025

In attendance via Zoom:

Noel Cappelletti, Plug PV

**RESOLUTION CLASSIFYING THE ACTION AND REFERRING THE APPLICATION TO
THE DUTCHESS COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT**

Cranston Ground-Mounted Solar

Date: February 16, 2022

Moved By: Mr. Guercio

Resolution: #2021-51

Seconded By: Ms. Wasser

WHEREAS, the applicant, Jason Cranston, has submitted an application for site plan approval for the installation of a ground-mounted solar system to serve an existing residential structure (the "Project") on property located at 162 Crum Elbow Road, tax parcel no. 6265-03-073025, in the Greenbelt Zoning District (the "Property"); and

WHEREAS, the Project is depicted on a site plan entitled, "Photovoltaic System," prepared by PLUGPV LLC, dated February 7, 2022, Sheets PV1, PV2, PV3, PV4, PV5, PV5.1, PV6 and Sheets 1, 2 and 3 entitled, "PlugPV LLC" by Solar Foundations USA, dated June 6, 2021 (collectively the "Site Plan Set"); and

WHEREAS, ground-mounted solar systems are permitted in the Greenbelt Zoning District subject to site plan approval; and

WHEREAS, the applicant has submitted a Short Environmental Assessment Form ("EAF") dated October 19, 2021, pursuant to the State Environmental Quality Review Act ("SEQRA"); and

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

WHEREAS, pursuant to 6 NYCRR 617.5(c)(12), the construction, expansion or placement of minor accessory/appurtenant residential structures is a Type II action under SEQRA; and

WHEREAS, the Project is located within 500 feet of Dutchess County Route 41, also known as Crum Elbow Road; and

WHEREAS, pursuant to Section 239-m of the General Municipal Law, projects located within 500 feet of a county highway must be referred to the Dutchess County Department of Planning and Development for a report and recommendation thereon.

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

- 1. Classifies the Project as a Type II action under SEQRA;**
- 2. Directs its secretary to refer the Site Plan Set to the Dutchess County Department of Planning and Development pursuant to Section 239-m of the General Municipal Law.**

Aye Chairman Dupree
Aye Vice-Chair Dexter
Aye Mr. Guercio
Aye Mr. Oliver

Aye Ms. Wasser
Aye Mr. Waters
Aye Ms. Weiser

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

MOTION: Mr. Oliver
SECOND: Ms. Weiser

To set a public hearing for Cranston Ground Mounted PV Panels for March 16, 2022.

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

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

WASSER GM PV PANELS

Site Plan Approval ground mounted photovoltaic panels (#2022-03)
Location: 11 Nichris Lane, Staatsburg, NY 12580
Grid #: 6167-01-441910

*In attendance via Zoom: Bryan Flynn, Sun Common
Stephanie Wasser, property owner*

Board Member, Stephanie Wasser recused herself from reviewing this application and the Chairman appointed Planning Board Alternate Member, Mr. John Kane in her place.

**RESOLUTION CLASSIFYING THE ACTION AND REFERRING THE APPLICATION TO THE
DUTCHES COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT**

Wasser Solar Project

Date: February 16, 2022

Moved By: Mr. Kane

Resolution: #2022-03

Seconded By: Vice-Chair Dexter

WHEREAS, the applicants, Stephanie and Steven Wasser, have submitted an application for site plan approval for the installation of a 13kW residential ground mounted solar array to serve the residential structure located at 11 Nichris Lane, Hyde Park, tax no. 6167-01-441910 (the "Site"), in the Greenbelt Zoning District (the "Project"); and

WHEREAS, the Project is depicted on a site plan entitled "Wasser," prepared by Suncommon, dated October 1, 2021, last revised January 20, 2022, PV-01, PV-02, PV-03, PV-04, PV-05, SC-01 and SC-02 (the "Site Plan"); and

WHEREAS, ground-mounted solar energy systems are permitted in all zoning districts, subject to site plan approval; and

WHEREAS, the Property is already served by an existing 12kW ground-mounted solar array; and

WHEREAS, in accordance with the State Environmental Quality Review Act ("SEQRA"), said Board is required to determine the classification of the proposed Project; and

WHEREAS, pursuant to 6 NYCRR § 617.5(c)(12), the construction or placement of minor accessory residential structures not changing land use or density is a Type II action under SEQRA; and

WHEREAS, the Project is located within 500 feet of US Route 9, also known as Albany Post Road; and

WHEREAS, pursuant to Section 239-m of the General Municipal Law, projects located within 500 feet of a state highway must be referred to the Dutchess County Department of Planning and Development for a report and recommendation thereon.

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

- 1. Classifies the Project as a Type II action under SEQRA;**
- 2. Directs its secretary to refer the Site Plan to the Dutchess County Department of Planning and Development pursuant to Section 239-m of the General Municipal Law.**

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

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

MOTION: Vice-Chair Dexter

SECOND: Mr. Oliver

To set a public hearing for Wasser Ground Mounted PV Panels for March 16, 2022.

**Aye Ms. Weiser
Aye Mr. Waters**

Aye Mr. Oliver
Aye Mr. Kane
Aye Mr. Guercio
Aye Vice-Chair Dexter
Aye Chairman Dupree

VOICE VOTE

Aye-7 Absent-0 Nay-0

Motion Carried

OTHER BUSINESS:

GLEASON FAMILY PROPERTIES

Site Plan Extension to meet Conditions of Approval (#2021-14)
Location: 517 Salt Point Turnpike, Poughkeepsie, NY 12601
Grid #: 6263-03-327395

In attendance via Zoom: Mr. John Andrews, PE, Rohde, Soyka & Andrews

**RESOLUTION GRANTING TWO 90-DAY EXTENSIONS OF TIME TO SATISFY
CONDITIONS OF APPROVAL**

GLEASON FAMILY PROPERTIES

Date: February 16, 2022

Moved By: Vice-Chair Dexter

Resolution: # 2021-14B

Seconded By: Ms. Wasser

WHEREAS, on August 18, 2021, by Resolution # 2021-14A, the Planning Board granted site plan approval to Gleason Family Properties, LLC, to redevelop an existing 1.406 acre lot with two existing structures located at 517 Salt Point Turnpike (the "Property") into a professional office and storage facility with associated site improvements (the "Project"); and

WHEREAS, the Property is further identified as Tax Grid No. 6263-03-327395 in the Neighborhood Business Zoning District; and

WHEREAS, site plan approval was conditioned on satisfaction of 5 conditions of approval; and

WHEREAS, pursuant to § 108-9.3E(4)(c) of the Zoning Law, conditional approval of a site plan shall expire 180 days after the date of the resolution granting conditional approval, unless such requirements have been certified as completed; and

WHEREAS, if the conditions of approval were not met, site plan approval for the Project would expire on February 14, 2022; and

WHEREAS, the Planning Board, in its discretion, may grant up to two 90-day extensions of time in which to satisfy the conditions of site plan approval; and

WHEREAS, by letter dated February 3, 2022, the applicant requested an extension of time to satisfy the conditions of approval.

NOW THEREFORE BE IT RESOLVED, that the Planning Board hereby grants the applicant two 90-day extension of time to satisfy the conditions of site plan approval to and including August 15, 2022.

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

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

GULF SIGNAGE

Sign Permit recommendation free-standing and wall-mounted signs (#2021-32)
Location: 4152 Albany Post Road
Grid #: 6165-03-429214

In attendance via Zoom:

Nancy Forest, GLOEDE Signs

**RESOLUTION RECOMMENDATION for ISSUANCE OF SIGN PERMIT
PURSUANT TO TOWN CODE SECTION 108-24.3 A (4) (d)**

**Food Mart
4152 Albany Post Road
Parcel 6064-02-980677
Wall Signage**

Date: February 16, 2022

Moved By: Ms. Weiser

Resolution#: 2021-32

Seconded By: Mr. Oliver

WHEREAS, Nancy Forest of GNS Group Ltd, on June 8, 2021, submitted a completed application for wall signage associated with the convenience store at the Gulf Station 4152 Albany Post Road, Grid Number 6064-02-980677, in the Corridor Business zoning district, and

WHEREAS, the sign will not be internally lit; and

WHEREAS, the sign is consistent in color and style throughout the site; and

WHEREAS, the applicant has provided a wall sign permit application that is code compliant and needs no relaxation of the standard letter height, now therefore

BE IT RESOLVED, the Board hereby recommends the Zoning Administrator issue the sign permit for the wall sign for the convenience store ‘Food Mart’ at the Gulf station, based on the sign permit application submitted by Nancy Forest on June 8, 2021.

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

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

**RESOLUTION RECOMMENDATION for ISSUANCE OF SIGN PERMIT
PURSUANT TO TOWN CODE SECTION 108-24.3 A (4) (d)**

**Gulf
4152 Albany Post Road
Parcel 6064-02-980677
Free standing Signage**

Date: February 16, 2022

Moved By: Mr. Oliver

Resolution#: 2021-32A

Seconded By: Ms. Weiser

WHEREAS, Nancy Forest of GNS Group Ltd, on June 8, 2021, submitted a completed application for a free-standing sign associated with the convenience store at the Gulf Station, 4152 Albany Post Road, Grid Number 6064-02-980677, in the Corridor Business zoning district; and

WHEREAS, the sign will not be internally lit with the exception of the gasoline prices as allowed in Article 24, Signs; and

WHEREAS, the sign will be down lit from custom LED light bars; and

WHEREAS, the sign is consistent in color and style throughout the site; and

WHEREAS, the applicant has provided an application for a replacement free-standing sign that is code compliant and needs no variance, now therefore

BE IT RESOLVED, the Board hereby recommends the Zoning Administrator issue the sign permit for the Free-standing sign for the rebranding to Gulf, based on the sign permit application submitted by Nancy Forest on June 8, 2021 and last revised February 10, 2022.

**Aye Chairman Dupree
Aye Vice-Chair Dexter
Aye Mr. Guercio**

Aye Mr. Oliver
Aye Ms. Wasser
Aye Mr. Waters
Aye Ms. Weiser

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

ZHUO 61 FULLER LANE

Site Plan Waiver Roof, Deck, Home Repair (#2022-05)

Location: 61 Fuller Lane, Hyde Park, NY 12538

Grid # : 6064-02-635952

TOWN OF HYDE PARK PLANNING BOARD

Xiao Yu Zhuo

6064-02-635952

61 Fuller Lane

SITE PLAN Waiver

Town Code Section 108-9.4 C 2

Date: February 16, 2022

Resolution#: 2022-05

Motion by: Mr. Waters

Seconded By: Vice-Chair Dexter

Whereas, a request for Site Plan Waiver has been made to the Town of Hyde Park Planning Board by Xiao Yu Zhuo for the repairs to his home due to a fallen tree. The house is located at 61 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 28, 2022, last revised February 8, 2022, and per the request to the Planning Board dated February 8, 2022.

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

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

ADJOURNMENT:

**MOTION: Ms. Wasser
SECOND: Ms. Weiser**

To adjourn.

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

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