



Historic Town of Hyde Park

Planning Board
4383 Albany Post Road
Hyde Park, NY 12538
(845) 229-5111, Ext. 2, (845) 229-0349 Fax
"Working with you for a better Hyde Park"

DRAFT MINUTES OF THE May 20, 2020 WORKSHOP/REGULAR MEETING OF THE HYDE PARK PLANNING BOARD

MEMBERS PRESENT VIA LIVE STREAMED MEETING:

**MICHAEL DUPREE, CHAIRMAN
ANNE DEXTER - VICE CHAIR
DIANE DI NAPOLI
CHRISTOPHER OLIVER
BRENT PICKETT
STEPHANIE WASSER
ANN WEISER**

**OTHERS PRESENT: VICTORIA POLIDORO, PB CONSULTING ATTORNEY
LIZ AXELSON, PB CONSULTING PLANNER
KATHLEEN MOSS, ZONING ADMINISTRATOR
CYNTHIA WITMAN, PB SECRETARY**

TABLE OF CONTENTS	PAGE
PLT STORAGE YARD RECONSTRUCTION	2-13
ATHANAS EAST SOLAR FARM	13-16
CREAM STREET SOLAR FARM	16-18
DOLLAR GENERAL 1 EAST DORSEY LN	18-19
JEFFREY GROVES ESTATES RE-SUBDIVISION	19-21
JEFFREY GROVES ESTATES	21-23

Chairman Dupree: Good evening. Welcome to the May 20th meeting of the Hyde Park Planning Board. First, I'll note that this meeting is being conducted as authorized by Executive Order 202.1 by Governor Andrew Cuomo of the State of New York. May I confirm that each of you are alone and not under any kind of pressure to make a statement or vote any particular way?

The Chairman called on each Board Member for a response.

Ms. Weiser: I am alone.

Ms. Wasser: I am alone.

Mr. Pickett: I am alone.

Mr. Oliver: I am alone.

Ms. DiNapoli: I am alone.

Vice-Chair Dexter: I am alone.

Please join me as we pledge allegiance to the flag of the United States of America.

Chairman Dupree commenced the Pledge of Allegiance.

WORKSHOP:

PLT STORAGE YARD RECONSTRUCTION

Site Plan Amendment & Special Use Permit Approvals (#2019-19)

Location: 501-503 Salt Point Turnpike, Poughkeepsie, NY 12601

Grid#: 6263-03-221319

*In Attendance via Zoom: Joe Berger, Berger Engineering & Surveying
Michele Zerfas, Berger Engineering & Surveying
Patrick Gleason, PLT Associates LLC*

Chairman Dupree: The first major item on the agenda is PLT Storage Yard Reconstruction. The applicants are seeking to amend a previous approval for the redevelopment/reconstruction of the building, a rather large building that burnt located at 501-503 Salt Point Turnpike. In essence, the applicants are back because they discovered that they can narrow the impact, limit the impacts of what was proposed by not having to go off site to do some planting for screening or go off site for a storage area. In addition, the third change they're seeking is to add a bathroom to the new temporary building that will be

going up. And then, last but not least, they've also indicated that the location of the tanks, the fuel tanks may change. Let me turn it over to Mr. Berger representing the applicant. Joe would you like to go over anything else? What would you like to go over? Joe, can you hear me?

Mr. Berger: Yeah, Michele just got online and she's going to do the review.

Chairman Dupree: Okay Michele, thank you.

Ms. Zerfas presented a PowerPoint presentation.

Slide 1

PLT-RECONSTRUCTION
501-503 Salt Point Turnpike
REVISIONS TO FINAL
CONDITIONAL APPROVAL
PLANS
May 20, 2020



Slide 2

PLT-RECONSTRUCTION

Locations of August 2019 Conditional Approval to be Revised

OFFSITE STORAGE AREA to the north has been eliminated. It has been determined the proposed work will be able to proceed without having to move items to the adjoining parcel.

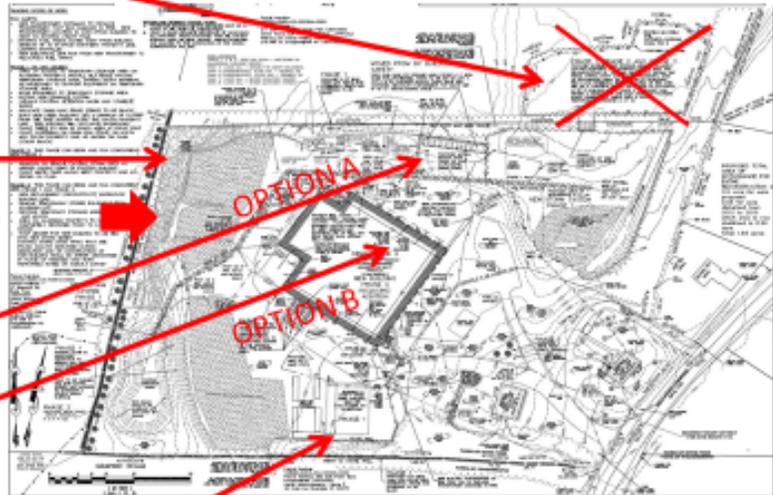
PROPOSED TREES along the west property can be planted with the subject tax parcel. There is no longer a need for an off-site easement for trees.

FUEL TANKS The existing fuel tanks are to remain in place at this time. The tanks will have to be moved when the fire damaged building (#4) is demolished. There are 2 location options:

OPTION A – NEW TANKS NEAR PROPERTY LINE

OPTION B – EXISTING TANKS ON OLD SLAB OF DEMOLISHED BUILDING

NEW BUILDING (#3) BATHROOM The bathroom will connect a new septic tank by the building then gravity flow to the existing septic tank and the existing field. There will be no increase in the number of employees on-site. The existing Onsite Wastewater Treatment System (OWTS) has been evaluated.



5/20/2020

Berger Engineering and Surveying PLLC, 100 Fulton Ave, Poughkeepsie, NY 12603

2

Ms. Zerfas: That is basically as chairman Dupree said, by not using the offsite area, that's less, a reduction. We don't have to worry about restoring that area. On the tanks, the difference is before we had an area...Okay, here you want to go to slide 2...Okay, on slide two, you'll see in the middle there's option A, option B. Option A is where we previously had shown the fuel tanks on your May 5th, 2020 drawings. It's no longer there. The fuel tanks were shown on the August, 2019 drawing on the May 5th drawings, they weren't there because we were working out these options. Option A is where we showed before. Option B would be to put the existing fuel tanks on the slab after the building is taken down and then whenever they decide to build a new building, when they get around to doing that, they'd buy new tanks and put them in option A.

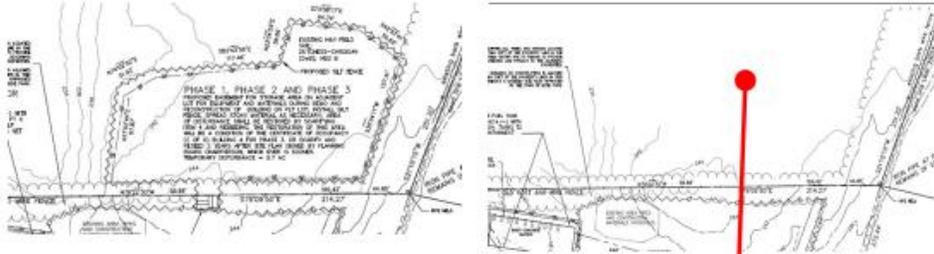
Slide 3

PLT-RECONSTRUCTION

Offsite Storage Area

From August 2019

Revised 05/2020 Plan



OFF SITE AREA NOT TO BE
DISTURBED BY THIS PROJECT

The offsite storage area to the north has been eliminated. It has been determined the proposed work will be able to proceed without having to move items to the adjoining parcel.

5/20/2020

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3

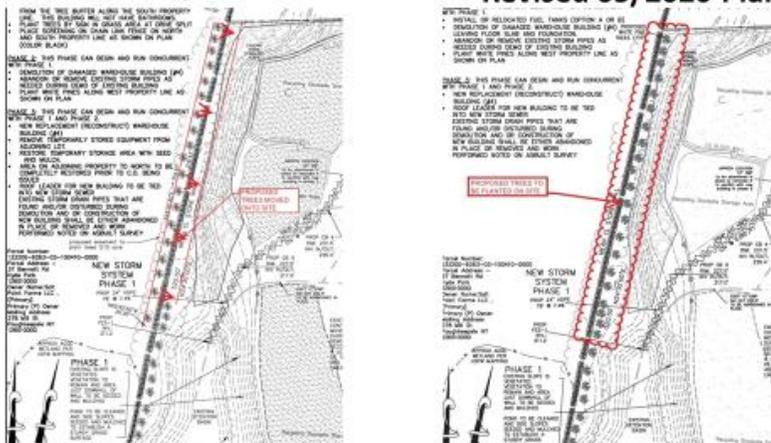
Slide 4

PLT-RECONSTRUCTION

Proposed Trees

From August 2019

Revised 05/2020 Plan



The proposed trees along the west property can be planted on the subject tax parcel. There is no longer a need for an off-site easement for trees.

5/20/2020

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4

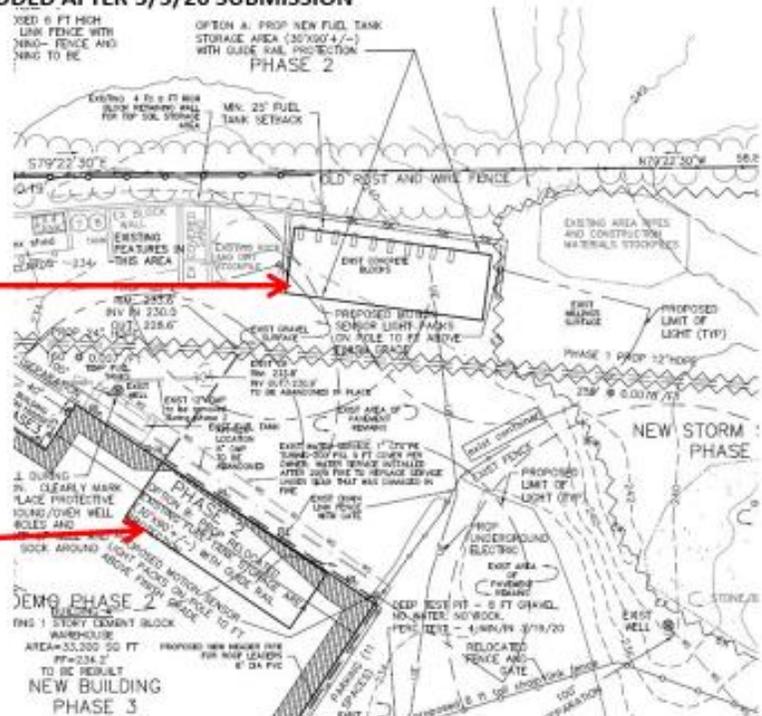
Slide 5

PLT-RECONSTRUCTION FUEL TANKS

ADDED AFTER 5/5/20 SUBMISSION

Option A - Place new tanks in area near northern property line – similar previous plans. Slightly larger area (90'x30', previously 90'x10')

Option B – Move existing tanks onto remaining slab after the building is demolished.



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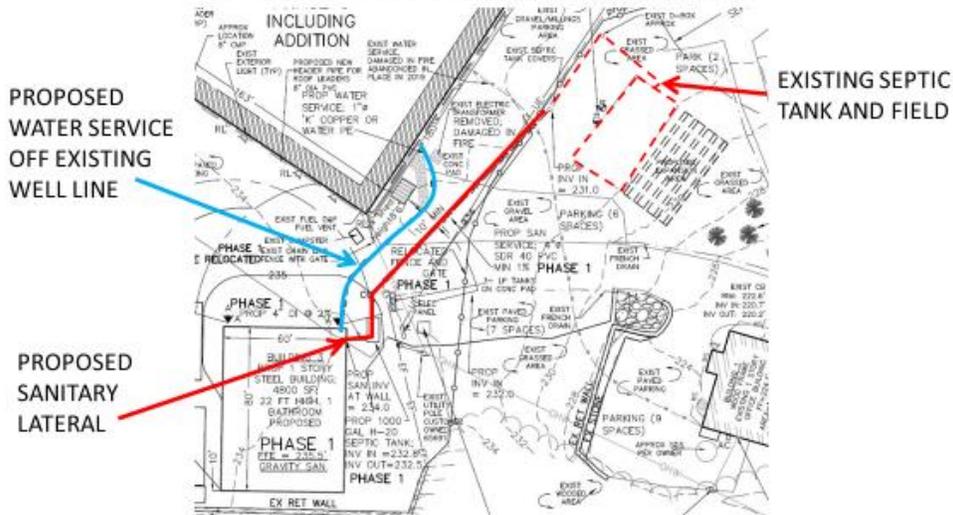
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Ms. Zerfas: The other thing is the bathroom - and if you even want to go all the way to slide six. There. Right now the maintenance crew had been working in the large building and this building three was on the previous plans and approved, including the architectural review. The plan is to put a bathroom into this building for the maintenance people. As we said, they had one in the large building. The new bathroom would connect to the existing septic system and it would also connect to the existing well and there'd be no increase in number of employees, it just provides the bathroom for the workers in their home. Can anybody hear me?

Chairman Dupree: Yes.

Slide 6

PLT-RECONSTRUCTION Proposed New Building (#3) Bathroom



A bathroom is now proposed in the new building #3. The bathroom will connect a new septic tank by the building then gravity flow to the existing septic tank and the existing field. There will be no increase in the number of employees on-site.

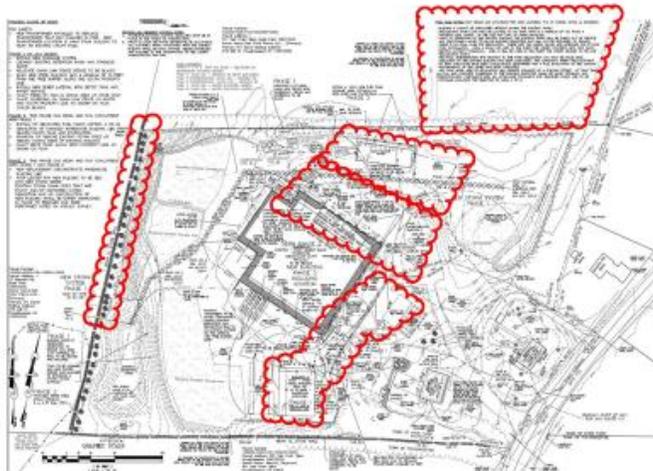
5/20/2020

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6

Slide 7

PLT-RECONSTRUCTION Locations of 2020 Revisions



5/20/2020

Berger Engineering and Surveying PLLC, 100 Fulton Ave, Poughkeepsie, NY 12603

7

Slide 8

Revisions of August 2019 Conditional Approval

- **OFFSITE STORAGE AREA** to the north has been eliminated. It has been determined the proposed work will be able to proceed without having to move items to the adjoining parcel.
- **PROPOSED TREES** along the west property can be planted with the subject tax parcel. There is no longer a need for an off-site easement for trees.
- **FUEL TANKS** The existing fuel tanks are to remain in place at this time. The tanks will have to be moved when the fire damaged building (#4) is demolished. The future location of the tanks has not been finalized. The movement and Building Department Approval will be dealt with at the time of the demo permit. Additional notes regarding future tank requirements have been added to the plan (upper right corner of site plan)
- **NEW BUILDING (#3) BATHROOM** A bathroom is now proposed in the new building #3. The bathroom will connect a new septic tank by the building then gravity flow to the existing septic tank and the existing field. There will be no increase in the number of employees on-site. The existing Onsite Wastewater Treatment System (OWTS) has been evaluated.

Ms. Zerfas: Did you have any questions?

Chairman Dupree: Well I'll be asking for questions or comments when I call on each person individually. Otherwise it would become a mad house here.

Ms. Zerfas: I understand. I guess that kind of covers the different aspects.

Chairman Dupree: So I wanted to point out that we prepared a resolution tonight to refer this to Dutchess County Department of Community and Behavioral Health for a report on whether... did they need to approve the expanded owner's wastewater treatment system, because of the addition of the bathroom and also to expand the water supply to run to the new building. I also wanted to thank you for making note of which conditions have been met already, that you would proceed forward. Then also I wanted to thank you, Michele and Joe as well as Mr. Gleason, for offering the two alternate locations. As a reminder to the Board and to the public, when we first saw this new revised Site Plan, it kind of showed an amorphous area for where the fuel tanks will be located. I asked Mr. Setaro our Engineer, who's not here tonight, but to investigate and speak to you guys. As it turns out, the issue with the siting, is basically whether you use the existing tanks or buy new ones because the building code treats location from the property line separately and the walls of the building for whether they're new or older. So by showing two locations, it

gives us the option to approve and then you make the decision later on. And we have a location for either the new or the existing ones. So thank you again for turning on a dime and again, this also allows us to be able to send this out to DC DBCH. We'll also be referring this to County Planning. At first, I thought we didn't need to, but Victoria looked at the list of exceptions and basically the wording was vague enough that just to make sure everything is clean and copacetic, no procedural defects, we're going to make sure we also refer this back to County Planning. If everyone recalls, last time their response was matter of local concern, so I anticipate that will be what happens again this time. Particularly since the impacts are lessened. Just in case, we're just crossing all the t's and dotting all the i's. So let me start as always with our consultants. Ms. Axelson, do you have any comments?

Ms. Axelson: Well, I had noted early in the review that a lot of the conditions had been addressed and then we had the discussion about the fuel tank notes. Then it appears that Pete Setaro and John Andrews, I guess he's the engineer for the applicant specializing in the whole fuel tank issue...have gone through some dialogue and it looks like there were, informally submitted, alternative fuel tank notes. I'm going to leave that to the engineers to get into the nitty gritty there. Any way we can move the application forward would make sense.

Chairman Dupree: Thank you. I'm glad to hear you say that because I think we're all in agreement. Ms. Moss, any comments?

Ms. Moss: I'm glad to see that the offsite potential impacts have been moved back into the site.

Chairman Dupree: Thank you. Ms. Polidoro any comments?

Ms. Moss: I agree with Ms. Moss. There's no longer a need to review any easements or create any easements, so it's less complicated.

Chairman Dupree: Yes. And let me start to my sort of virtual left, Ms. Weiser comments?

Ms. Weiser: I have no comments or questions. I'm just really glad to see it moving forward. Thank you.

Chairman Dupree: Mr. Pickett?

Mr. Pickett: No comment.

Chairman Dupree: Ms. Wasser?

Ms. Wasser: No additional comments. I agree with what's been said already. Thank you.

Chairman Dupree: Vice-Chair Dexter?

Vice-Chair Dexter: I would just add that I'm glad it's moving forward and that it looks like an easier project for you guys.

Chairman Dupree: Mr. Oliver?

Mr. Oliver: Ditto my colleague's comments and happy to see you guys going forward and that's all. Thank you.

Chairman Dupree: Ms. DiNapoli?

Ms. DiNapoli: The same.

Chairman Dupree: I have no comments either. Again because the way you revised the plans it made it so that it's something that now we could approve. We just have to go through the formal process of hearing back from Department of, what we used to call the Department of Health as well as County Planning. So there being no other comments and you basically heard very positive responses to your moving forward. I hope that fills you with a little happiness, Mr. Gleason, because I know this is a tough project to move forward. I'm going to ask Mr. Pickett to read the resolution.

**RESOLUTION TO REFER A REVISED SITE PLAN TO DUTCHESS
COUNTY PLANNING & DEVELOPMENT AND TO DUTCHESS COUNTY
DEPARTMENT OF BEHAVIORAL AND COMMUNITY HEALTH**

PLT Storage Yard Reconstruction

Date: May 20, 2020

Moved By: Mr. Pickett

**Resolution: #2019-19D
Dexter**

Seconded By: Vice-Chair

WHEREAS, on August 7, 2019, by Resolution # 2019-19A, the Planning Board granted site plan and special use permit approval to the applicant, PLT Associates LLC, to reconstruct and expand a construction yard and recycling center warehouse located at 501-503 Salt Point Turnpike, and to construct a temporary staging area on an adjacent lot at 517 Salt Point Turnpike, as depicted on: a site plan entitled "PLT-Storage Yard Reconstruction, Site Plan Amendment" SP-1, prepared by Berger Engineering and Surveying, dated April 30, 2019, last revised July 19, 2019; renderings prepared by American Buildings, a NUCOR Company, last revised May 23, 2019; elevations entitled "Gleason Phase 2" sheets RS1, WS5, WS6, WS7, WS8, WS11, and WS12, prepared by the American Buildings, a NUCOR Company, dated May 23, 2019;

and elevations entitled "Gleason Annex SSR" sheets RS1, WS5, WS6, WS7, and WS8, prepared by the American Buildings, a NUCOR Company, dated June 10, 2019 (collectively, the "Conditionally Approved Site Plan Set"); and

WHEREAS, Site Plan and Special Use Permit approval are conditioned on satisfaction of eight conditions of approval; and

WHEREAS, prior the conditions of site plan approval being satisfied, the applicant has submitted a revised site plan for the Planning Board's consideration; and

WHEREAS, the revised site plan is titled "PLT Storage Yard Reconstruction, Site Plan Amendment Sheet SP-1", prepared by Berger Engineering and Surveying, dated April 30, 2019, last revised May 30, 2020 (the "Revised Site Plan"); and

WHEREAS, the Revised Site Plan would modify the proposed locations of underground fuel tanks, remove the storage area north of the property boundary, modify the proposed landscaping and add an additional septic tank serving Building 3, among other changes.

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

- 1. Refers the Revised Site Plan to the Dutchess County Department of Planning and Development pursuant to Section 239-m of the General Municipal Law; and**
- 2. Refers the Revised Site Plan to the Dutchess County Department of Behavioral and Community Health with a letter requesting a response indicating that approval from the Department is or is not required for the addition of the septic tank serving Building 3.**

Chairman Dupree: Thank you. Before we call the roll, I just wanted to ask a question to Ms. Polidoro. Should I write a little note with the referral saying that this is what we're looking for?

Ms. Polidoro: I think that would be helpful. We don't want to get back their standard lead agency response.

Chairman Dupree: Right, because we've already concluded SEQR. We're still under the same SEQR designation. So I'll write a quick note over to DC DBH to offer an explanation for why this is coming forward. So Ms. Witman, will you please call the roll?

Ms. Witman called the roll.

Aye	Ms. Weiser
Aye	Ms. Wasser
Aye	Mr. Pickett
Aye	Mr. Oliver
Aye	Ms. DiNapoli
Aye	Vice-Chair Dexter
Aye	Chairman Dupree

ROLL CALL VOTE 7-0 Motion Passed

Chairman Dupree: Yes. And by the way (*to Ann Weiser*), that train went by my house before yours. I hope you didn't hear it all. It honked over here too. Okay. Michele, Joe and Patrick, thank you so much for joining us tonight. I believe that we're going to be setting a public hearing for this once we hear back from everybody. Should we consider setting a public hearing tonight for after the 30 days that they have to respond? They don't really have thirty days, well, County Planning has thirty days, but Department of Health doesn't really, and they could just not respond, but we'll give them thirty days. Should we go ahead and set the public hearing, on this for that would be June the, I believe it's...No, we may have to wait until July. The first July meeting I believe is.

Ms. Witman: It would have been July 1st. So I think it's...

Chairman Dupree: We canceled that so it'd be July 15th. May I get a motion to set that from Ms. Dexter?

MOTION: Vice-Chair Dexter
SECOND: Mr. Oliver

To set a Public Hearing for PLT Storage Yard Reconstruction for July 15, 2020.

Ms. Witman called the roll.

Aye	Ms. Weiser
Aye	Ms. Wasser
Aye	Mr. Pickett
Aye	Mr. Oliver
Aye	Ms. DiNapoli
Aye	Vice-Chair Dexter
Aye	Chairman Dupree

ROLL CALL VOTE 7-0 Motion Carried

Chairman Dupree: Yes, Liz.

Ms. Axelson: Just one quick point maybe to be resolved before the hearing. I saw that there was email dialogue about the plans, likely representing a maximum building footprint. And there was discussion that it might be smaller and so if there's any way to get closer to how real the proposed building footprint is, that would at least save them having to come back for a Site Plan Amendment. Just something to think about.

Chairman Dupree: I did not see that email correspondence back and forth. Is this the shrinking of the big building, the principal structure?

Ms. Axelson: Yes.

Chairman Dupree: So if you guys have any more information about that before the next meeting, please convey it to us and you can certainly email us obviously to let us know if it's still something that's just sort of out there, then perhaps it could be an as built survey or something or Tad to declare it de minimus. It depends on what the size is obviously. So, if you have any questions in the meantime, just reach us by email. Otherwise, since we won't be seeing, you until July 15th, have a happy Memorial Day and a Happy July 4th.

Mr. Berger: Thank you. Thank you very much.

OTHER BUSINESS:

ATHANAS EAST SOLAR FARM

Tolling Statutory deadline of Site Plan & Special Use Permit Approvals (#2018-12)

Location: 1436 Route 9G

Grid#: 6165-02-770880

Chairman Dupree: The next item on the agenda is a series of resolutions. As I mentioned at our last meeting, Victoria and I had been discussing the fact that the Governor had extended deadlines. Initially in the Executive Order, I thought it meant just State deadlines, meaning the DEC might have longer than 30 days, but it actually also specifically mentioned local timelines as well. So because he's made the series of extensions, we thought it only fair to give the same extensions or the tolling extensions to a variety of applications as they are nearing time in which they had to meet all conditions or would expire. So Victoria laboriously went through and counted up the date of approval for each of the series of applications you have before you and then extended the tolling time. So because let's face it, everybody was kind of in a new world there

for a bit before we started having meetings like these, et cetera. And even now, since we're all mostly all working by remote, there are some things that are hard to get through; filings of easements. The County Clerk is not always open. I know for myself; I'm trying to probate a will and civil courts aren't open except for existing cases now. So there's been a definite slowdown in your ability to meet things. So, we're being proactive with this. We did ask each, we offered it, we sent information to each applicant and said, you have to request it. It's not just automatically granted across the way and they all thanked us and made the formal requests. So each of you, most of you will have a resolution to read and second cause there's a series of them. The first will be for Athanas east Solar farm and I believe this is going to be moved by Ms. DiNapoli.

**RESOLUTION APPLYING TOLLING PERIOD TO THE TIME TO SATISFY
THE CONDITIONS OF SITE PLAN APPROVAL**

Athanas East Solar Farm

Date: May 20, 2020

Moved By: Ms. DiNapoli

Resolution: #2018-12E

Seconded By: Ms. Wasser

WHEREAS, on June 5, 2019, by Resolution #2018-12B, the Planning Board granted site plan and special use permit approval to the applicant, NY Solar 1000 LLC, on behalf of owner Thomas Athanas, to develop a 2.6-megawatt solar farm on property located at 1436 Route 9G, identified as tax parcel no. 6165-02-770880, in the Greenbelt Zoning District (the "Project"), as depicted on a site plan entitled "Athanas East Photovoltaic Plant," including the following sheets: Cover sheet; and sheets C-001, C-101, C-201, C-202, C-301, C-401, C-501, C-502, C-601, and C-602, prepared by LaBella PC, dated November, 2018, last revised May 3, 2019 (the "Conditionally Approved Site Plan"); and

WHEREAS, the site plan and special use permit approvals are conditioned on satisfaction of twelve 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, 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, on November 20, 2019, by Resolution #2018-12C, the Planning Board granted the applicant its first 90-day extension of time in which to satisfy the conditions of site plan approval to March 1, 2020; and

WHEREAS, on February 5, 2020, by Resolution #2018-12D, the Planning Board granted the applicant its second 90-day extension of time in which to satisfy the conditions of site plan approval to June 1, 2020; and

WHEREAS, on March 7, 2020, by Executive Order 202, the Governor of the State of New York State declared the outbreak of the novel coronavirus, COVID-19, an emergency in the State; and

WHEREAS, by Executive Order 202.8 issued on March 20, 2020, the time limit for the filing of any process or proceeding as prescribed by any statute, local law, ordinance, order, rule, or regulation, or part thereof, was tolled until April 19, 2020; and

WHEREAS, by Executive Order 202.14, said tolling period was extended to May 7, 2020 and by Executive Order 202.28 to June 6, 2020; and

WHEREAS, by letter dated May 12, 2020, the applicant has requested an additional 60-day extension of time to satisfy the conditions of approval; and

WHEREAS, the Planning Board is unable to grant a third extension of the time to satisfy the conditions of approval, but acknowledges the tolling provided for in the executive order.

NOW THEREFORE BE IT RESOLVED, that the Planning Board hereby applies the tolling period to the Project and extends the time to satisfy the conditions of site plan and special use permit approval to and including August 13, 2020.

Ms. Witman called the roll.

Aye	Ms. Weiser
Aye	Ms. Wasser
Aye	Mr. Pickett
Aye	Mr. Oliver
Aye	Ms. DiNapoli
Aye	Vice-Chair Dexter
Aye	Chairman Dupree

ROLL CALL VOTE

7-0

Motion Passed

Chairman Dupree: Yes. The motion carries unanimously. The next item is a tolling extension for Cream Street Solar Farm being moved by Ms. Weiser.

CREAM STREET SOLAR FARM

Tolling Statutory deadline of Site Plan & Special Use Permit Approvals (#2018-28)

Location: 129 & 133 Cream Street

Grid#s: 6264-01-473668, -465747

**RESOLUTION APPLYING TOLLING PERIOD TO THE TIME TO SATISFY
THE CONDITIONS OF SITE PLAN APPROVAL**

Cream Street Solar Farm

Date: May 20, 2020

Moved By: Ms. Weiser

Resolution: #2018-28E

Seconded By: Mr. Oliver

WHEREAS, on June 5, 2019, by Resolution #2018-28B, the Planning Board granted site plan and special use permit approval to the applicant, NY Solar 1000 LLC, on behalf of owners Equine129, LLC and Cattle133, LLC, to develop a 4.9-megawatt solar farm on two properties located at 129 and 133 Cream Street, identified as tax parcel no. 6264-01-465747 and -473668, respectively, in the Greenbelt Zoning District, as depicted on a site plan entitled "129/133 Cream Street Photovoltaic Plant," including the following sheets: Cover sheet; and sheets C-001, C-101, C-201, C-202, C-301, C-401, C-402, C-501, C-502, C-601, and C-602, prepared by LaBella PC, dated November, 2018, last revised May 3, 2019 (the "Conditionally Approved Site Plan"); and

WHEREAS, the site plan and special use permit approvals are conditioned on satisfaction of twelve 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, 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, on November 20, 2019, by Resolution #2018-28C, the Planning Board granted the applicant its first 90-day extension of time in which to satisfy the conditions of site plan approval to March 1, 2020; and

WHEREAS, on February 5, 2020, by Resolution #2018-28D, the Planning Board granted the applicant its second 90-day extension of time in which to satisfy the conditions of site plan approval to June 1, 2020; and

WHEREAS, on March 7, 2020, by Executive Order 202, the Governor of the State of New York State declared the outbreak of the novel coronavirus, COVID-19, an emergency in the State; and

WHEREAS, by Executive Order 202.8 issued on March 20, 2020, the time limit for the filing of any process or proceeding as prescribed by any statute, local law, ordinance, order, rule, or regulation, or part thereof, was tolled until April 19, 2020; and

WHEREAS, by Executive Order 202.14, said tolling period was extended to May 7, 2020 and by Executive Order 202.28 to June 6, 2020; and

WHEREAS, by letter dated May 12, 2020, the applicant has requested an additional 60-day extension of time to satisfy the conditions of approval; and

WHEREAS, the Planning Board is unable to grant a third extension of the time to satisfy the conditions of approval, but acknowledges the tolling provided for in the executive order.

NOW THEREFORE BE IT RESOLVED, that the Planning Board hereby applies the tolling period to the project and extends the time to satisfy the conditions of site plan and special use permit approval to and including August 13, 2020.

Ms. Witman called the roll.

Aye	Ms. Weiser
Aye	Ms. Wasser
Aye	Mr. Pickett
Aye	Mr. Oliver
Aye	Ms. DiNapoli
Aye	Vice-Chair Dexter
Aye	Chairman Dupree

ROLL CALL VOTE

7-0 Motion Carried

Chairman Dupree: Yes, and the motion carries unanimously. The next item on the agenda will be an extension of the tolling period for Dollar General to be located at one East Dorsey Lane. Moved by Mr. Oliver.

DOLLAR GENERAL 1 EAST DORSEY

Tolling Statutory deadline of Site Plan Approval (#2019-04)

Location: 1 East Dorsey Lane, Poughkeepsie, NY 12601

Grid#: 6163-02-504633

**RESOLUTION APPLYING TOLLING PERIOD TO TIME TO SATISFY
CONDITIONS OF APPROVAL**

**Dollar General
1 East Dorsey Lane**

Date: May 20, 2020

Moved By: Mr. Oliver

**Resolution: # 2019-04C
Pickett**

Seconded By: Mr.

WHEREAS, on December 4, 2019, by Resolution # 2019-04B, the Planning Board granted site plan approval to HSC Hyde Park, LLC to demolish an existing building and construct a new 7,500 sq. ft. retail building along with new access, parking, landscaping, lighting, utilities, and stormwater management at property located at 1 East Dorsey Lane, tax parcel no. 6163-02-504633 (the "Site"), in the Neighborhood Business District (the "Project"); and

WHEREAS, site plan approval was conditioned on satisfaction of 12 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, by letter dated May 7, 2020, the applicant requested an extension of time to satisfy the conditions of approval which is set to expire on June 1, 2020; and

WHEREAS, on March 7, 2020, by Executive Order 202, the Governor of the State of New York State declared the outbreak of the novel coronavirus, COVID-19, an emergency in the State; and

WHEREAS, by Executive Order 202.8 issued on March 20, 2020, the time limit for the filing of any process or proceeding as prescribed by any statute, local law, ordinance, order, rule, or regulation, or part thereof, was tolled until April 19, 2020; and

WHEREAS, by Executive Order 202.14, said tolling period was extended to May 7, 2020 and by Executive Order 202.28 to June 6, 2020.

NOW THEREFORE BE IT RESOLVED, that the Planning Board hereby applies the tolling period to the Project and extends the time to satisfy the conditions of site plan and special use permit approval to and including August 13, 2020.

Ms. Witman called the roll.

Aye	Ms. Weiser
Aye	Ms. Wasser
Aye	Mr. Pickett
Aye	Mr. Oliver
Aye	Ms. DiNapoli
Aye	Vice-Chair Dexter
Aye	Chairman Dupree

ROLL CALL VOTE 7-0 Motion Carried

Chairman Dupree: The next item on the agenda is a tolling period extension for Jeffrey Groves Estates. This is the Re-subdivision only. Moved by Ms. Wasser.

JEFFREY GROVES ESTATES RE-SUBDIVISION

Tolling Statutory deadline of Major Re-Subdivision and Site Plan Approvals (#2018-04)

Location: 39-41 North Cross Road

Grid#s: upon request

**RESOLUTION APPLYING TOLLING PERIOD TO TIME TO SATISFY
CONDITIONS OF SITE PLAN AND FINAL PLAT APPROVAL**

Jeffrey Groves Estates

Date: May 20, 2020

Moved By: Ms. Wasser

Resolution: #2018-04J

Seconded By: Ms. Weiser

WHEREAS, on November 20, 2019, the Planning Board granted the applicant, North Cross, LLC, amended site plan and subdivision approval for twelve residential townhouses in connection with its application for subdivision approval to re-subdivide nine existing individual residential lots and two open space lots into twelve residential townhouse lots and two open space lots on North Cross Road (the "Project"), tax grid nos. 133200-6167-18-356197, -

361162, -398188, -383173, -380159, 385145, -397167, 403149, -414150, -425174, -328190, in the Neighborhood District (the "Site"); 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, pursuant to § 96-14B(9) of the Subdivision Law, conditional approval of a subdivision plat shall expire 180 days after the date of the resolution granting conditional approval, unless such requirements have been certified as completed; and

WHEREAS, the applicant has timely requested an extension of time to satisfy the conditions of site plan and subdivision approval which would have expired on May 18, 2020; and

WHEREAS, on March 7, 2020, by Executive Order 202, the Governor of the State of New York State declared the outbreak of the novel coronavirus, COVID-19, an emergency in the State; and

WHEREAS, by Executive Order 202.8 issued on March 20, 2020, the time limit for the filing of any process or proceeding as prescribed by any statute, local law, ordinance, order, rule, or regulation, or part thereof, was tolled until April 19, 2020; and

WHEREAS, by Executive Order 202.14, said tolling period was extended to May 7, 2020 and by Executive Order 202.28 to June 6, 2020.

NOW THEREFORE BE IT RESOLVED, that the Planning Board hereby applies the tolling period to the Project and extends the time to satisfy the conditions of site plan and final plat approval to and including August 5, 2020.

Ms. Witman called the roll.

Aye	Ms. Weiser
Aye	Ms. Wasser
Aye	Mr. Pickett
Aye	Mr. Oliver
Aye	Ms. DiNapoli
Aye	Vice-Chair Dexter
Aye	Chairman Dupree

ROLL CALL VOTE 7-0 Motion Carried

Chairman Dupree: Yes. The last item on the agenda is a resolution for Jeffrey Groves Estate. This is for the Site Plan which is required because these are town-homes. This will be put into motion by Ms. Dexter.

**RESOLUTION TO APPLY TOLLING TO DEADLINES FOR COMMENCING
AND COMPLETING SUBSTANTIAL CONSTRUCTION**

JEFFREY GROVES ESTATES

Date: May 20, 2020

Moved by: Vice-Chair Dexter

Resolution: #68-12I

Seconded by: Ms. Weiser

WHEREAS, on March 6, 2013, the Planning Board reapproved North Cross, LLC's final site plan approval for a townhouse development known as "Jeffrey Groves Estates" located on 25.17 acres in the Neighborhood District, identified as tax map parcel nos. 6167-03-330194 and 6167-03-398168, as represented on the map set entitled "Jeffrey Groves Estates," prepared by Fuss & O'Neill of New York, P.C., dated October 24, 2005, last revised August 3, 2007; and

WHEREAS, pursuant to Section 108-9.6(a), "An approved site plan shall be void and the building permits, if any, shall be revoked if substantial construction is not started within one year and the entire project or approved phase is not completed within two years of signing of the site plan or site plan amendment by an authorized officer of the Planning Board;" and

WHEREAS, pursuant to Section 108-9.6(b) "The Planning Board may, at its discretion, after conducting a public hearing, grant an extension to an approved site plan. The applicant shall submit a written request 30 days prior to the site plan date of expiration, requesting an extension for a specified time and the reason therefor;" and

WHEREAS, on May 4, 2016, by Resolution #68-12D, the Planning Board granted the applicant a twelve-month extension of time to commence construction, and the time in which to complete construction; and

WHEREAS, on May 3, 2017, by Resolution #86-12E, the Planning Board granted the applicant a twelve-month extension of time to commence construction, and the time in which to complete construction; and

WHEREAS, on June 6, 2018, by Resolution #68-12F, the Planning Board granted the applicant a twelve-month extension of time to commence construction, and the time in which to complete construction; and

WHEREAS, on May 21, 2019, by Resolution #68-12G, the Planning Board granted the applicant a twelve-month extension of time to commence construction to June 14, 2019, and the time in which to complete construction to June 14, 2020; and

WHEREAS, on March 7, 2020, by Executive Order 202, the Governor of the State of New York State declared the outbreak of the novel coronavirus, COVID-19, an emergency in the State; and

WHEREAS, by Executive Order 202.8 issued on March 20, 2020, the time limit for the filing of any process or proceeding as prescribed by any statute, local law, ordinance, order, rule, or regulation, or part thereof, was tolled until April 19, 2020; and

WHEREAS, by Executive Order 202.14, said tolling period was extended to May 7, 2020 and by Executive Order 202.28 to June 6, 2020; and

WHEREAS, the applicant has requested that the Planning Board apply the tolling period to the Project.

NOW THEREFORE BE IT RESOLVED, that the Planning Board hereby applies the tolling period to the time in which the applicant must commence substantial construction and complete substantial construction and extends the time to August 31, 2020 and August 31, 2021, respectively.

There will be no written or verbal notification from the Planning Board office to the applicant at such time as the extension expires. Any request for an extension of the deadlines set forth herein must be submitted to the Planning Board at least 30 days in advance of said dates.

Ms. Witman called the roll.

Aye	Ms. Weiser
Aye	Ms. Wasser
Aye	Mr. Pickett
Aye	Mr. Oliver
Aye	Ms. DiNapoli
Aye	Vice-Chair Dexter
Aye	Chairman Dupree

ROLL CALL VOTE 7-0 Motion Carried

Chairman Dupree: Yes. Before we adjourn the meeting, I want to thank personally Councilman Neil Krupnick for being our Zoom host as always, as well as Supervisor Aileen Rohr for making the resources and time available so we can continue these kinds of meetings to advance the public good. I also just want to thank you, my colleagues. I have to say I miss everybody. I miss seeing your faces in person. I really do. The longer this goes, I know that we've all adjusted to kind of working from home and there are some benefits, but one of the disadvantages to me is I don't get the chance to see my friends and colleagues once every two weeks and have a chance to catch up and feel like I'm part of a really nice community. I know we are and we're still doing it, but I still missed anybody physically, so I hope you're all well and safe.

Vice-Chair Dexter: Virtual hugs to all.

Chairman Dupree: Yeah. Virtual hugs accepted. Mr. Pickett, will you make a motion to adjourn please?

MOTION: Mr. Pickett

SECOND: Ms. Wasser

To Adjourn.

Ms. Witman called the roll.

Aye	Ms. Weiser
Aye	Ms. Wasser
Aye	Mr. Pickett
Aye	Mr. Oliver
Aye	Ms. DiNapoli
Aye	Vice-Chair Dexter
Aye	Chairman Dupree

ROLL CALL VOTE 7-0 Motion Carried

Chairman Dupree: Yes. Thank you all.