



## 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 June 17, 2020  
PUBLIC HEARING/REGULAR MEETING OF THE HYDE PARK PLANNING  
BOARD**

**MEMBERS PRESENT VIA LIVE STREAMED MEETING:**

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

**MEMBERS ABSENT: DIANE DI NAPOLI**

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

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**Chairman Dupree:** Good evening, everyone. Welcome to the June 17th meeting of the Hyde Park Planning Board. Let me first note that this meeting is conducted as authorized by Executive Order 202.38 by Governor Andrew Cuomo, of the state of New York. Let me also now confirm that each Board Member is alone and not subject to some sort of duress.

*Chairman Dupree confirmed that each Board Member was alone.*

**Ms. Weiser:** I am alone.

**Ms. Wasser:** I am alone.

**Mr. Pickett:** I am alone.

**Mr. Oliver:** I am alone.

**Ms. DiNapoli:** Absent

**Vice-Chair Dexter:** I am alone.

**Chairman Dupree:** I'm alone.

That concludes it. Please now join me in saluting the American flag.

*The Chairman led the Pledge of Allegiance.*

**NEW PUBLIC HEARINGS:**

**RIVERVIEW RE-SUBDIVISION-LANDINGS-ANDROS**

Minor Re-Subdivision (2017-11)

Location: 6 Dock Street

Grid#: 6065-04-548172

*In Attendance via Zoom:*

*Peter Andros, PE*

**Chairman Dupree:** Thank you. The first item on the agenda is a new public hearing for Riverview Re-Subdivision. The applicant is seeking approval for a one lot Subdivision of an already subdivided lot. Mr. Andros should be joining us in a moment. In the meantime, may I get a motion from Ms. Weiser to open the public hearing?

**MOTION: Ms. Weiser**

**SECOND: Mr. Pickett**

**To open the Public Hearing for Riverview Re-Subdivision-Landings-Andros.**

**Aye  
Aye**

**Ms. Weiser  
Ms. Wasser**



**Mr. Andros:** Well, it's basically a split off of a little over a half an acre from the parent parcel, Lot 1 of a former subdivision. And I don't know how much I can add to what the Chairman has said, except that I have gotten the approval for the water service from the Dutchess County Water and Wastewater Authority. So there's an adequate water supply. And also approval of a driveway entrance from the Dutchess County Department of Public Works. Pretty much at the location where some of the sketch plans showed the driveway coming off of County Route 41, which by the way is River Road. If you read the Dworak's letter, they, in error referred to it as West Market Street. This is River Road down through here. And that's about it. My intention is to market the lot, as the Chairman stated. Whenever there's going to be a proposed use on the lot, it's subject, because it's in a S.A.S.S, it's subject to Site Plan approval. Which hopefully, hopefully, when the time comes for that, the Board will see its way clear to issue a waiver of that Site Plan approval requirement, but that's all a function of what's going to be proposed. So I think that's about it.

**Chairman Dupree:** That's very well stated Mr. Andros, it would be a function of what's proposed. I also should add that in the Dworak's letter, they also noted with photos that there have been several flooding issues over the years in this general vicinity. But again, that would be subject to Site Plan review because there would be grading and fill probably necessary before a structure could be brought in. There you go, there's the letter. Thank you, Councilman Krupnick, our director.

**Mr. Andros:** Yeah, so those are good photographs. And I didn't want to really get into this, but since everybody out there in TV land is going to see this, I would just like to point out that, had the Dworaks not included the photographs, their narrative might have slipped by and been embraced by the reader. However, the photographs and the narrative, are mutually exclusive. One does not describe the other. And since pictures are worth a thousand words, maybe I can just point out a couple of things that they say in that last paragraph, next to the last paragraph, which are totally in error. If we go back to the very first photograph, if we slide down...ah, good! They speak to the issue of flooding and you have to understand that...Well, I think I know where the photographs were taken from. Usually when somebody submits photographs, they have a location map. I'm sure the Planning Board has seen that many times showing the location, the date, time of day, who took the photograph, but we don't know about that. But suffice it to say that their description is not accurate. Let's see photo labelled #1, proximity of the flooding to the road. Yeah, I've got a copy of the letter in front of me so I can see it. To get back to the photograph, what road are we talking about? I think, but I'm not sure, that 'the road' is River Road. If you just scroll that photograph up a little bit more, I think we'll be able to see River Road. There, coming in now.

**Chairman Dupree:** It's at the base.

**Mr. Andros:** All right, that's it right there now. The photograph would kind of indicate that, wow, the flooding is pretty close to River Road. Problem is, what you don't see is the rest of the lot. Okay? There's a lot of land on the other side of the edge of the grass area and so the flooding really isn't very much near River Road from the standpoint of horizontal location or most importantly, vertical location. Let me just point out to you that this was during Irene and Irene was probably the most devastating storm that I've ever seen on this piece of property. However, if you look at the Subdivision map and you look at the railroad tracks, you'll see that on the Subdivision map, there's a FEMA-based flood elevation line, a hundred year flood and the edge of the water near the railroad tracks, but still on the Hyde Park Landing property, because the fence really is the demarcation, generally of that property. You'll see that it doesn't even quite make it and it really didn't make it to the base flood elevation shown on the Subdivision map, which is a FEMA determination. And of course everything's all tied in. And then they do say that on several occasions, approximately one third of the proposal at Lot 1A under water. There's really no documentation that they've submitted along with this, which would substantiate their statement of approximately one third. If you look at the Subdivision map now, you'll see that Lot 1A, where the base flood elevation is shown, that same a hundred-year flood. You'll see that it's much less than one third of the lot. Finally, if we take a look at the next photograph, this one's even better. Yeah, that's a good one. Alright, now understand that, you've got those two townhouse buildings in the foreground and their garages and then we have River Road and then we have kind of a dark line and that's the grass on Lot 1A. And then, there's kind of a squiggly dark line with some water and then there's a squiggly dark line. And then there's a really very well formed dark line running horizontally between the two buildings. Now that very first squiggly line is debris, compliments of the federal government National Park Service. Debris field was incredible; whole trees, roots, everything else. Had to be taken out. It was a major job to clean up after that. But remember that wasn't even as high as the base flood elevation from FEMA. The big dark line, anybody that's been down there, not this year because of COVID-19, the big dark line that's behind that squiggly line of debris are the docks on the inside of the inlet on the side of the river. But let's keep going. You see all the white stuff in the water, that's all just stuff, froth and spume that's coming down the Crum Elbow Creek and into the river. But then past that, we have another dark line and that's land. And then we have the roadway between the land and the fence line, which is on the east side of the railroad tracks. So what you have here is a misinterpretation of the photograph. The Dworaks would have you believe that was a calamity and indeed it was, but not because of high water. Finally, I just want to point out that they, speak to... Where is it? Oh yeah, Superstorm Sandy. Superstorm Sandy, they didn't really have any photographs to show that one because high tide and the high water from Superstorm Sandy occurred about 1:30 in the morning, kind of dark for taking photographs. I was down at the Marina, however, so I know how high the water got. Never saw it, that high in my life and I will say none of the Marina buildings were in peril

because of it. And you know, where the Marina buildings are. You should anyway. They're all shown on the Subdivision map. So this portrayal of the dire, dire situation, was not really accurate. I just wanted to point that out. You can see on the Subdivision map that base flood elevation for FEMA goes all the way over to the railroad tracks, past the property line for Lot 1 and in the photographs, you'll note that that wasn't the case at all. Never even reached there. And if you were to go down and take a look, there's quite a bit of difference in elevation. It was the flow of water and the debris that really caused a problem. So that's that. Oh, one other thing, to the point in their letter, they say, in a letter to the Planning Board dated 2/20/2020, Dutchess County supervising public health engineer, Lee Felshin says, 'plan submissions have been made to the department for review, however, no approval from this department has been granted'. Now it's the old deal of, you know, you take a quote and you run with it. If you read the rest of the letter, you'll see that any of the changes, that they're requiring were by Mr. Felshin's language, minor in nature. And since that time, that was in February, the Health Department has gotten to a point where they're ready to approve, the septic plan, for this particular lot, as soon as the Subdivision is approved. So I have a kind of a catch 22 situation. That's it.

**Chairman Dupree:** Thank you, Mr. Andros, for that explanation. Let me go to the consultants and start with...I should also note that you gave us a new submission, which cleaned up prior submissions. So some conditions that would be potentially attached to the approval, have already been met. Ms. Axelson comments?

**Ms. Axelson:** Okay. Sorry about that. So I don't have any new comments since my April 9th, 2020 review memorandum. As per discussion with the board, I prepared a short environmental assessment form, part two and three, in anticipation of possible SEQR action. And the one thing that I want to say about the flood zone is that it's been shown, the base flood has been shown on the Subdivision plan from early in the project review and I'm thrilled to say that Hyde Park updated their flood damage prevention regulations, I think as recent as...

**Mr. Andros:** 2014, it was 2014.

**Ms. Axelson:** 2014. Okay. But in any case, they look up to date. I wish Catskill communities would do that. So I don't have any concerns when I looked at the photographs. The first thing I thought is I can't tell where the photograph is taken from, so I didn't do anything with them. That's it.

**Chairman Dupree:** Thank you, Ms. Moss comments? Ms. Moss shook her head no. Ms. Polidoro comments?

**Ms. Polidoro:** Some things that we have spoken about previously, there will be a recreation fee that's required for one new lot. The project does require a utility easement and we were still recommending that a note be added stating that the owner shall consult with New York State Office of Parks, Recreation and Historic Preservation prior to any disturbance on Lot 1A. That would just be a note on the plans. Tonight, we have a resolution prepared for the Board to consider adopting a Determination of Significance.

**Chairman Dupree:** And I will note again for the Board's edification that with subdivision, we are required to conclude SEQR before closing a public hearing. It's a little bit unique, unlike Site Plan. So we have the resolution prepared. Let me start now with the board, Ms. Weiser comments?

**Ms. Weiser:** Yeah. So I have no comments.

**Chairman Dupree:** Thank you, Ms. Wasser?

**Ms. Wasser:** No comments.

**Chairman Dupree:** Mr. Pickett?

**Mr. Pickett:** No comment.

**Chairman Dupree:** Vice-Chair Dexter?

**Vice-Chair Dexter:** Nothing to add.

**Chairman Dupree:** Mr. Oliver?

**Mr. Oliver:** No new comments.

**Chairman Dupree:** And I have no comments either. Councilman Krupnick, is somehow someone else waiting inside the waiting room to speak?

**Councilman Krupnick:** Nobody is waiting to speak.

**Chairman Dupree:** Thank you. May I assume that we have no one waiting for any of the applications?

**Councilman Krupnick:** You assume correctly.

**Chairman Dupree:** Thank you. Then, I believe that Mr. Oliver has the resolution, but first, has everyone had a chance to review EAF parts two and three prepared by Ms. Axelson. Just nod.

*The Board Members nodded in affirmation.*

**Chairman Dupree:** Thank you. Then, Chris, I believe this is your resolution.

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**RESOLUTION TO ADOPT A DETERMINATION OF SIGNIFICANCE  
NEGATIVE DECLARATION**

**Riverview Subdivision**

**Date: June 17, 2020**

**Moved By: Mr. Oliver**

**Resolution: # 2017-11B**

**Seconded By: Vice-Chair Dexter**

**WHEREAS**, the applicant, Hyde Park Landing, Ltd., has submitted an application for subdivision approval to subdivide an existing 3.279 acre lot located at 6 Dock Street, tax parcel no. 6065-04-548172, in the Landing District, into a 0.646 (Lot 1A) acre lot and 2.632 acre lot (Lot 1) (the "Subdivision"); and

**WHEREAS**, the Subdivision is depicted on a plat entitled "Final Plat, Subdivision of Lot 1, Riverview Subdivision, F.M. No. 4647A" prepared by Peter J. Andros, P.E., and Mark R. Graminski, L.S., dated March 10, 2020, last revised June 10, 2020 (the "Subdivision Plat"); and

**WHEREAS**, the applicant has demonstrated that Lot 1A could be a buildable lot that could support a dwelling, or other permitted water-enhanced and/or water-dependent use; and

**WHEREAS**, the applicant has submitted a Full Environmental Assessment Form ("EAF") dated January 17, 2020, last revised February 19, 2020 pursuant to the State Environmental Quality Review Act ("SEQRA"); and

**WHEREAS**, on February 5, 2020, the Planning Board classified the action as an unlisted action under SEQRA and declared its intent to serve as lead agency in a coordinated review of the Project, to which no other agency objected; and

**WHEREAS**, on March 4, 2020, pursuant to Section 96-12C of the Subdivision Law, the Planning Board, the Planning Board accepted a sketch plan and classified the proposed Subdivision as a Minor Subdivision; and

**WHEREAS**, the Planning Board has reviewed the EAF and all available information concerning the potential impacts of the Project and found that the

Planning Board has sufficient information on which to base a determination of significance; and

**WHEREAS**, the Planning Board has considered the criteria contained in 6 NYCRR 617.7 and thoroughly analyzed all identified relevant areas of environmental concern.

**NOW THEREFORE BE IT RESOLVED**, that the Planning Board hereby determines that the Project as proposed will not result in any significant adverse environmental impacts and that a Draft Environmental Impact Statement will not be prepared.

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

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

**Chairman Dupree:** Thank you. Can everyone just raise your hand and say, aye? All in favor? Any abstentions or nays? No, there are none. It passes unanimously.

*The Board Members all raised their hands and verbalized their consent.*

**Chairman Dupree:** Mr. Pickett, can you please move to close the public hearing with the proviso allowing written comments for 10 additional days.

**Mr. Pickett:** I close the public hearing with the provision.

**Chairman Dupree:** Thank you.

**Ms. Polidoro:** Motion to close the public hearing.

**Mr. Pickett:** As a motion to close the public hearing. Yes.

**Ms. Weiser:** I second that.

**Chairman Dupree:** Thank you, all in favor? Aye.

*The Board Members all raised their hands and verbalized their consent.*

**MOTION: Mr. Pickett**

**SECOND: Ms. Weiser**

**To close the Public Hearing for Riverview Re-Subdivision-Landings-Andros, with the exception of written comments for 10 days.**

<b>Aye</b>	<b>Ms. Weiser</b>
<b>Aye</b>	<b>Ms. Wasser</b>
<b>Aye</b>	<b>Mr. Pickett</b>
<b>Aye</b>	<b>Mr. Oliver</b>
<b>Absent</b>	<b>Ms. DiNapoli</b>
<b>Aye</b>	<b>Vice-Chair Dexter</b>
<b>Aye</b>	<b>Chairman Dupree</b>

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

**Chairman Dupree:** Okay. Motion carries. I thought this might be easier than making Cynthia call the roll each time. Make us move a little bit faster. Mr. Andros, we will schedule you for the July 1st meeting. That allows 10 days for written comment to consider final approval.

**Mr. Andros:** All right. That's fine. I have a question.

**Chairman Dupree:** Yes.

**Mr. Andros:** So are you going to require me to respond to these comments? Any ones that you receive, like the Dworak tome?

**Chairman Dupree:** No, I believe you already responded tonight.

**Mr. Andros:** But what about additional ones? We've got an additional 10 days, right, to wait?

**Chairman Dupree:** Let's wait and see what the nature of the comments are.

**Mr. Andros:** Good call.

**Chairman Dupree:** It may be that I'll respond to them.

**Mr. Andros:** Okay. Alright. Fine. Well, just, you know, keep me posted.

**Chairman Dupree:** Oh, if we receive any, they'll be forwarded to you immediately.

**Mr. Andros:** Yeah. Okay, good.

**Chairman Dupree:** Thank you and have a nice night. We'll see you at the next meeting.

**Mr. Andros:** Okay. Thank you.

**HUTCHINS STAATSBURG STORAGE ADDITIONAL UNITS**

Site Plan Amendment and Special Use Permit Approvals (#2019-20)

Location: 4920 Albany Post Road, Staatsburg, NY 12580

Grid#: 6066-02-891661

*In Attendance via Zoom: Robert Turner, Tinkelman Architecture, PLLC  
Scott Hutchins, 4920, LLC*

**Chairman Dupree:** The next item on the agenda is Hutchins Staatsburg Storage. The applicants are seeking approval to add more storage units to an already existing location at 4920 Albany Post Road. I believe Stephanie will move us to open the public hearing.

**MOTION: Ms. Wasser**

**SECOND: Mr. Oliver**

**To open the Public Hearing for Hutchins Staatsburg Storage.**

<b>Aye</b>	<b>Ms. Weiser</b>
<b>Aye</b>	<b>Ms. Wasser</b>
<b>Aye</b>	<b>Mr. Pickett</b>
<b>Aye</b>	<b>Mr. Oliver</b>
<b>Absent</b>	<b>Ms. DiNapoli</b>
<b>Aye</b>	<b>Vice-Chair Dexter</b>
<b>Aye</b>	<b>Chairman Dupree</b>

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

*The Board Members all raised their hands and verbalized their consent.*

**Chairman Dupree:** It's like being in first grade. Thank you. The public hearing is open. So this is another application that we have extensively reviewed. Mr. Hutchins and Mr. Turner had been gracious in every step of the way in accommodating Planning Board requests. The most recent plan set that we have is not what we're probably going to be approving or considering for approval. Mr. Turner is going to make some changes to it based on setting a couple of buildings further back. Mr. Setaro responded to the CAC comments about storm water. All storm water will be going into a DEC approved bio-retention pond, that's still there. In addition, because there's so much surface rock, there won't really be any increase to stormwater runoff by adding the

buildings. This is not a unique site in Hyde Park, but it's a typical site that has a lot of rock. It already has a lot of water runoff. Mr. Turner, would you like to add anything?

**Mr. Turner:** Can you hear me now? Yes. Okay. No, there's no additional comments or anything that I need to add to the information that we had submitted and provided to you at the last meeting.

**Chairman Dupree:** Thank you. So let me start with Ms. Weiser, any comments, additional comments?

**Ms. Weiser:** I have no additional comments.

**Chairman Dupree:** Ms. Wasser?

**Ms. Wasser:** No, but I do want to thank the applicant, in their willingness to respond to our comments. Mine in particular. And I'm very happy to see that the building was pulled back from Route 9. I thank you for your cooperation.

**Mr. Hutchins:** You're welcome.

**Chairman Dupree:** Ms. Dexter?

**Vice-Chair Dexter:** Nothing additional.

**Chairman Dupree:** Mr. Oliver?

**Mr. Oliver:** No additional comments.

**Chairman Dupree:** And Mr. Pickett?

**Mr. Pickett:** No additional comments.

**Chairman Dupree:** And let me go to our consultants. Ms. Axelson, any additional comments?

**Ms. Axelson:** No. Our last set of comments was March 24, 2020 and we prepared a full environmental assessment form parts two and three for the Board's consideration in SEQR review.

**Chairman Dupree:** And Ms. Moss comments?

**Ms. Moss:** No comments.

**Chairman Dupree:** Ms. Polidoro?

**Ms. Polidoro:** No.

**Chairman Dupree:** I don't have any other comments either. This project looks like it's going to move forward and I'm delighted to hear that. So we do have a resolution prepared this evening. I believe Mr. Pickett is going to introduce it.

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**RESOLUTION TO ADOPT A DETERMINATION OF SIGNIFICANCE  
NEGATIVE DECLARATION**

**Hutchins-Staatsburg Storage LLC**

**Date: June 17, 2020**

**Moved By: Mr. Pickett**

**Resolution: #2019-20A**

**Seconded By: Vice-Chair Dexter**

**WHEREAS**, the applicant, Tinkelman Architecture PLLC on behalf of 4920 LLC, has submitted an application for site plan amendment approval to install additional exterior storage units and make other associated site improvements including drainage, parking and landscaping at an existing self-storage facility located at 4920 Albany Post Road, identified as Tax Grid No. 6066-02-891661 (the "Site"), in the Neighborhood Business District (the "Project"); and

**WHEREAS**, general commercial uses are permitted in the Neighborhood Business District subject to site plan approval; and

**WHEREAS**, the Project is depicted on an amended site plan entitled "Additional Storage Units - Site Plan Amendment, Staatsburg Storage LLC," prepared by Tinkelman Architecture PLLC, dated March 3, 2020, Sheets TS, PZ 101-107, DT 102 and C 1-8 (the "Site Plan"); and

**WHEREAS**, the applicant has submitted a Short Environmental Assessment Form ("EAF") dated May 2, 2019, last revised March 3, 2020; and

**WHEREAS**, on April 15, 2020, the Planning Board classified the Project as an unlisted action under SEQRA and declared its intent to serve as lead agency in a coordinated review, to which no other agency objected; and

**WHEREAS**, the Planning Board has reviewed the EAF and all available information concerning the potential impacts of the Project and found that the Planning Board has sufficient information on which to base a determination of significance; and

**WHEREAS**, the Planning Board has considered the criteria contained in 6 NYCRR 617.7 and thoroughly analyzed all identified relevant areas of environmental concern.

**NOW THEREFORE BE IT RESOLVED**, that the Planning Board hereby determines that the Project as proposed will not result in any significant adverse environmental impacts and that a Draft Environmental Impact Statement will not be prepared.

<b>Aye</b>	<b>Ms. Weiser</b>
<b>Aye</b>	<b>Ms. Wasser</b>
<b>Aye</b>	<b>Mr. Pickett</b>
<b>Aye</b>	<b>Mr. Oliver</b>
<b>Absent</b>	<b>Ms. DiNapoli</b>
<b>Aye</b>	<b>Vice-Chair Dexter</b>
<b>Aye</b>	<b>Chairman Dupree</b>

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

**Involved and Interested Agencies**

**NYS Department of Environmental Conservation  
Roosevelt Fire Department  
Hyde Park Conservation Advisory Council**

*The Board Members all raised their hands and verbalized their consent.*

**Chairman Dupree:** Any further discussion? All in favor. Raise your hand. Motion carries unanimously. Mr. Turner, we were waiting to talk to you. Would you like us to schedule this for our July 1st agenda or July 15th?

**Mr. Turner:** I would like it if you would be able to schedule us for the July 1st, because we're looking to make changes and get them back to you first part of next week, if that's acceptable.

**Chairman Dupree:** Technically the changes should have been submitted today at four, rather yesterday at four. But I think we're all familiar with this project. So does that seem okay to you to get it in early next week? That'd give you about 10 days to review. Seems acceptable. Yes, everyone's nodding. Okie doke. First may I get a motion to close the public hearing from Mr. Oliver?

**MOTION: Mr. Oliver**  
**SECOND: Ms. Wasser**

**To adjourn the Public Hearing for Hutchins Staatsburg Storage to July 1, 2020**

<b>Aye</b>	<b>Ms. Weiser</b>
<b>Aye</b>	<b>Ms. Wasser</b>
<b>Aye</b>	<b>Mr. Pickett</b>
<b>Aye</b>	<b>Mr. Oliver</b>
<b>Absent</b>	<b>Ms. DiNapoli</b>
<b>Aye</b>	<b>Vice-Chair Dexter</b>
<b>Aye</b>	<b>Chairman Dupree</b>

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

*The Board Members all raised their hands and verbalized their consent.*

**Chairman Dupree:** All in favor? Aye. Okay. We'll see you guys on July 1st and look forward to wrapping this up.

**Mr. Turner:** Okay, great. Thank you very much.

**Chairman Dupree:** Thank you very much.

**Ms. Polidoro:** Just so the applicants remember, once we close the hearing on July 1st, there will be a 10-day written comment period after, so it will be the meeting after that, that the Board can vote.

**Mr. Hutchins:** Okay. Thank you.

**Chairman Dupree:** Thank you.

**ENCLAVE AT HYDE PARK**

Extension of Special Use Permit and Site Plan Approvals (#16-49)  
Location: Cream Street at Long Branch Road  
Grid#: 6263-01-475939 (1 of 30 grid #s available upon request)

**Chairman Dupree:** Okay. The next item on the agenda is the Enclave at Hyde Park and note, because we're opening the public hearings, but we've had no comment, I informed Mr. Casamento of LRC that he did not have to be here tonight, so we don't have a presentation. But again, we're doing an extension in which time they have to meet to start substantial construction, et cetera. So, may I get a motion to open the public hearing for the extension of special use permit and site plan approval from Vice-chair Dexter?

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

**To open the Public Hearing for The Enclave at Hyde Park.**

*Ms. Witman calls the roll.*

<b>Aye</b>	<b>Ms. Weiser</b>
<b>Aye</b>	<b>Ms. Wasser</b>
<b>Aye</b>	<b>Mr. Pickett</b>
<b>Aye</b>	<b>Mr. Oliver</b>
<b>Absent</b>	<b>Ms. DiNapoli</b>
<b>Aye</b>	<b>Vice-Chair Dexter</b>
<b>Aye</b>	<b>Chairman Dupree</b>

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

*The Board Members all raised their hands and verbalized their consent.*

**Chairman Dupree:** Thank you, all in favor raise hands and say aye. I don't believe there's any public comment for this. No member of the public has signed up and we received nothing in writing. So are there any comments from the Board or from our consultants? There being none, in this case, I believe we're going to adjourn this to August 5th, correct?

**Vice-Chair Dexter:** Yes.

**Chairman Dupree:** So may I get a motion to adjourn to August 5th?

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

**To adjourn the Public Hearing for The Enclave at Hyde Park to August 5, 2020.**

<b>Aye</b>	<b>Ms. Weiser</b>
<b>Aye</b>	<b>Ms. Wasser</b>
<b>Aye</b>	<b>Mr. Pickett</b>
<b>Aye</b>	<b>Mr. Oliver</b>
<b>Absent</b>	<b>Ms. DiNapoli</b>
<b>Aye</b>	<b>Vice-Chair Dexter</b>
<b>Aye</b>	<b>Chairman Dupree</b>

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

*The Board Members all raised their hands and verbalized their consent.*

**Chairman Dupree:** All in favor? Aye. Thank you. The motion carries. So the ZBA has to extend the variance as well, a density variance, which is what we're waiting for before we can take action and they have to hold their meeting. They're having the public hearing in June, they can approve at their July meeting, which aligns us then to reopen and consider approval of the extension in August.

**ENCLAVE SOLAR FARM**

Extension of Special Use Permit & Site Plan Approvals (#2018-30)

Location: Cream Street

Grid#: 6263-01-465957

**Chairman Dupree:** The next application is a similar one. It's the solar farm. It's part of the overall Enclave Site Plan and Special Use Permit but it's on its own lot, so it requires its own extension. May I get a motion for Mr. Pickett to open the public hearing?

**MOTION: Mr. Pickett**

**SECOND: Mr. Oliver**

**To open the Public Hearing for the Enclave Solar Farm.**

<b>Aye</b>	<b>Ms. Weiser</b>
<b>Aye</b>	<b>Ms. Wasser</b>
<b>Aye</b>	<b>Mr. Pickett</b>
<b>Aye</b>	<b>Mr. Oliver</b>
<b>Absent</b>	<b>Ms. DiNapoli</b>
<b>Aye</b>	<b>Vice-Chair Dexter</b>
<b>Aye</b>	<b>Chairman Dupree</b>

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

*The Board Members all raised their hands and verbalized their consent.*

**Chairman Dupree:** Thank you, all in favor, raise hands? I believe in this instance again, there is no public comment. No one signed up and we received no written comment. So do we have any comments from the Board? Any comments from our consultants? Ms. Witman, I'm going to ask a question of you. I know there's been too many solar farm emails going back and forth between all the ones we have out there right now. Do we, do you recall where we are with the Enclave Solar Farm, exactly?

**Ms. Witman:** Tad might be a better choice to answer this. I believe they have their building permit. Is that correct Tad?

**Ms. Moss:** I believe they've received it. I authorized it and I believe they've received it and they have an erosion sediment control permit in place. They began clearing trees. They did not clear them all. They have some earth work to do flattening out some mounds of soil, before they can put the panels in and hopefully they will go forward soon.

**Chairman Dupree:** Thank you. That's nice to hear. So there being no public comment, may I get a motion to close the public hearing with the exception of the provision that we will allow written comments for 10 more days.

**MOTION: Mr. Oliver**  
**SECOND: Mr. Pickett**

**To close the Public Hearing for the Enclave Solar Farm, with the exception of written comments for 10 days.**

<b>Aye</b>	<b>Ms. Weiser</b>
<b>Aye</b>	<b>Ms. Wasser</b>
<b>Aye</b>	<b>Mr. Pickett</b>
<b>Aye</b>	<b>Mr. Oliver</b>
<b>Absent</b>	<b>Ms. DiNapoli</b>
<b>Aye</b>	<b>Vice-Chair Dexter</b>
<b>Aye</b>	<b>Chairman Dupree</b>

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

*The Board Members all raised their hands and verbalized their consent.*

**Chairman Dupree:** Thank you. All in favor, signify by the sign of your raising your hand. Thank you. The motion carries unanimously as well. So what we'll do is put this on the schedule for our July 1st meeting to consider approval, which will allow 10 days to have lapsed during that time for written comment.

**OTHER BUSINESS:**

**EMY DELIGHTS and BITES**

Site Plan Waiver Approval and Sign Permit Recommendation (#2020-07/08)  
Location: 4322 Albany Post Road  
Grid#: 6065-04-888116

*In Attendance via Zoom:*

*Emily Horta, Emy Delights and Bites*

**Chairman Dupree:** The next item on the agenda is a Site Plan Waiver as recommended by Ms. Moss. Yes, this is Emy's Delights and Bites and we can welcome the Hortas into our meeting. Emily we can't see you. If you can put your video on.

**Ms. Horta:** Can you see me now?

**Chairman Dupree:** Not yet. It should be in your lower left corner.

**Ms. Horta:** Yes, I clicked on it. It was working before. I apologize.

**Chairman Dupree:** That's okay. I wanted people to be able to see Hyde Park's youngest, newest business owner, in case anybody's watching. So even though we can't see you, can you...

**Ms. Horta:** It is not allowing me to now, I apologize. I do not know why.

**Chairman Dupree:** Okay. Can you describe, I mean, I could do it for you, but I'd rather, since you're here, have it from the horse's mouth, so to speak. Can you describe the nature of your business?

**Ms. Horta:** Yeah, of course. So my business is all about promoting food allergy awareness, providing products that everybody can enjoy. So no one feels left out. So mine won't be made with the top nine major allergens. It will be mostly a wholesale business and grab and go. Serving salad sandwiches and light snacks, as well as a full dessert case with lots of chocolates.

**Chairman Dupree:** Thank you. Ms. Horton by the way, is a graduate of the Culinary Institute here in Hyde Park. I'm very excited. I've had a chance to get to know her throughout this process and speaking to her. And I think I can speak on behalf of the Board and all of our residents to say, we're delighted you chose Hyde Park to open your business. She's been operating a sort of storefront, it had no retail component, in the City of Poughkeepsie and elected to come back to Hyde Park. If you've noticed the building where she's located 4322 Albany Post Road, there's also a, there you go, thank you, Mr. Krupnick. So if you notice this building had sort of fallen into disrepair, disuse we'll call it, and she and her parents have been really dressing it up. There's also a yellow former residence. This was a dentist's office and there's a yellow residence next to it that they've also spruced up. They removed a tree. When they were first proposing what they're proposing to us, we were looking, trying to make sure that there is safe ingress and egress as well as an easy way to park. So, I don't have anything else to say other than we are excited that you're going to open up your business particularly because we have phase three coming up next week, which means that there'll be limited indoor dining. And when Ms. Horta gave us an example of food. I want to point out that she did have avocado toast on her limited menu as well. And she also specializes in

gluten free desserts. You can order them for delivery. I think there might be a limited delivery area, but she'll also ship to a larger area. Is that right, Emily?

**Ms. Horta:** Yes. I ship nationwide. Currently because of the summer weather, I'm only shipping to five local States, but I normally ship nationwide.

**Chairman Dupree:** Does anybody have any questions for Emily before we go to the resolution.

**Vice-Chair Dexter:** No, just welcome.

**Ms. Horta:** Thank you. I appreciate it.

**Ms. Wasser:** Looking forward to it.

**Chairman Dupree:** Me too. It's a shame we don't have Hyde Park Elementary open. They could all go over and get desserts after school. At any rate, I believe Ms. Weiser has this resolution.

## **TOWN OF HYDE PARK PLANNING BOARD**

**Emily Horta – Emy Delights and Bites**  
**4322 Albany Post Road Grid Number 6065-04-888116**  
**SITE PLAN Waiver - *Town Code Section 108-9.4 C 2***

**Date: June 17, 2020**  
**Resolution #: 2020-07/08**

**Moved By: Ms. Weiser**  
**Seconded By: Ms. Wasser**

***Whereas*, a request for Site Plan Waiver has been made to the Town of Hyde Park Planning Board by Emily Horta on May 28, 2020, for opening a new business, Emy Delights and Bites, at 4322 Albany Post Road, with revised overlay site layout by Emily Horta dated June 4, 2020, and**

***Whereas*, a Sign Permit application has been submitted and is in full compliance with the sign requirements in Article 24 of Chapter 108 Zoning, and**

***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 change to the structure is to replace an interior sink, and**

*Whereas*, the changes to the exterior add a projecting sign on the south west corner of the building, some landscaping, screening, better defined parking areas and circulation, 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 waiver of site plan request.

**BE IT FURTHER RESOLVED**, that the Zoning Administrator has reviewed the sign permit application and finds it in compliance with the code requirements, the Planning Board has also reviewed the sign and recommends the Zoning Administrator issue the sign permit.

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

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

*The Board Members all raised their hands and verbalized their consent.*

**Chairman Dupree:** Any further discussion? All in favor, raise your hand? Aye. Thank you. Motion carries. Welcome Emily. We can't wait to see you open your business. There is the sign image.

**Mr. Pickett:** When will it open?

**Ms. Horta:** I'm hoping to be able to move in in July because I currently am renting a kitchen and then I plan on doing the grand opening by July 18th.

**Mr. Pickett:** Terrific!

**Ms. Weiser:** That's great.

**Chairman Dupree:** I should note that Ms. Horta has been operating with a permit under New York State Agriculture and Markets. She'll still be operating under that permit, which actually restricts the amount of seating she can have, which of course may not matter much right now, because even when we reopen there's not a lot of seating, but there will be limited seating inside. There's a menu, mostly grab and go as Emily said, but there's also to order. Emily, I wish you and your parents...I'm sorry we can't see you, but I wish you luck.

**Ms. Horta:** Yeah. I'm sorry about that. I don't know what happened.

**Chairman Dupree:** And when you have an actual date, be sure and email me and I'll, I'll make sure that the invitation gets to all the Planning Board Members. We can come and celebrate your opening.

**Ms. Horta:** Yes, of course. Thank you. I will let you guys all know.

**Chairman Dupree:** Thank you very much. Have a nice night.

**Ms. Horta:** Thank you.

**RIDER, REBECCA**

Site Plan Waiver Approval front & back porch repair (#2020-09)

Location: 20 Valley View Road

Grid#: 6064-12-822626

**Chairman Dupree:** The next item on the agenda is another Site Plan Waiver. It's basically for a front and back porch repair. It's located at 20 Valley View Road, which is in the SASS as well, the Scenic Area of Statewide Significance. However, this is not visible from the historic sites or the river and Ms. Moss, just as the last application, has recommended a waiver of Site Plan review. I believe this is Vice-Chair Dexter's resolution to introduce.

**TOWN OF HYDE PARK PLANNING BOARD**

**Rebecca Rider, 20 Valley View Road**

**6064-12-822626**

**SITE PLAN Waiver**

***Town Code Section 108-9.4 C 2***

**Date: June 17, 2020**

**Resolution: 2020-09**

**Motion by: Vice-Chair Dexter**

**Seconded By: Mr. Oliver**

*Whereas*, a request for Site Plan Waiver has been made to the Town of Hyde Park Planning Board by Rebecca Rider for replacement front and rear porches on a single-family home requiring a building permit, 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 proposed development does not change the building footprint and 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*, 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 proposed changes as described in the building permit received by the building department June 1, 2020, and per the request to the Planning Board dated December 29, 2019.

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

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

*The Board Members all raised their hands and verbalized their consent.*

**Chairman Dupree:** Any further discussion or questions? Please indicate your approval by raising your hand with an aye.

**Ms. Polidoro:** And say aye.

**Chairman Dupree:** Thank you. The motion carries unanimously.

## REFERRAL OF LOCAL LAW B OF 2020-Definition of Recreation 108-2.2

**Chairman Dupree:** The last item on the agenda, we have a referral of Local Law B of 2020, which allows the Town to distinguish between outdoor recreational uses and indoor recreational uses. Again, many months ago, there was a sort of a phone call. Well, call in to Ms. Witman to discuss where the former auto parts dealer was on 9G, someone was interested in coming and the recreational use was not allowed in the Neighborhood Business District. And it's sort of prompted a whole discussion about recreation and the benefits of indoor versus outdoor and where they should be located. So I did not prepare any kind of letter for those because, I was asked to provide my personal comments to it originally, so my sort of comments that I would have put in are already reflected in the changed law. So that's why I was going to ask each of you tonight to see if you had any comments about or direction as to what you would like me to do. I did relate that, the ZBA Chair, Mr. Sweet has issued some comments to the Town Board indicating some dissatisfaction with it. He thinks it doesn't really comport with the comprehensive plan. That will be for the Town Board to go through and determine with its consultants. So let me start to my virtual right? Mr. Oliver, do you have any comments or anyone?

**Mr. Oliver:** I have no comments at this time, thank you.

**Chairman Dupree:** Vice-Chair Dexter?

**Vice-Chair Dexter:** No, but I find it interesting and actually it heartens me that because we are supposed to be connecting our comprehensive plan with our zoning. So I I'd actually be very interested because I read it and it read fine to me. I'd be interested to know where the perceived disconnect is.

**Chairman Dupree:** I will be happy to forward Mr. Sweet's emails to you. How's that?

**Vice-Chair Dexter:** Sure.

**Chairman Dupree:** And to the Board because I believe I've received at least two. So I'll send those over to you so you can see. Continuing on, Ms. Wasser, any comments? I know you said you found two typos.

**Ms. Wasser:** Yes, I'll send those to you. I have no further comments.

**Chairman Dupree:** Mr. Pickett?

**Mr. Pickett:** No comment, other than I'd like to see the emails.

**Chairman Dupree:** Thank you. I will. And Ann, any comments?

**Ms. Weiser:** No comments.

**Chairman Dupree:** So would you like me to wait to put this on the next meeting? We have time to discuss at the next meeting as well. That way we'd have a chance to absorb Mr. Sweet's comments first, because it sounds like everybody would otherwise say yeah, go ahead and tell them to adopt it. I want you to read it because a lot of it is a matter of interpretation of the sections of the comprehensive plan that he's putting in. For example, he cited, at one point that it seemed incompatible with the uses that are encouraged in the Landings, which is water enhanced and water dependent. And he cited, I believe, like, maybe, I'm sorry, I'm forgetting, two recreational uses that didn't sound right for that district. But the truth of it is, we wouldn't allow those recreational uses. They would have to be water enhanced or water dependent to be in the landings. Meaning say, you have a shop that, you know, you can rent skis and go skiing on the river. That's clearly an outdoor recreational use that would fit the purpose and intent of the Landing. So it would be up to the Planning Board, in other words, to weigh some of these. But I will forward those over to you and we will just put this on for the July 1st meeting. And I believe that's it for the night. So may I get a motion to adjourn?

**MOTION: Ms. Wasser**  
**SECOND: Mr. Pickett**

**To adjourn.**

<b>Aye</b>	<b>Ms. Weiser</b>
<b>Aye</b>	<b>Ms. Wasser</b>
<b>Aye</b>	<b>Mr. Pickett</b>
<b>Aye</b>	<b>Mr. Oliver</b>
<b>Absent</b>	<b>Ms. DiNapoli</b>
<b>Aye</b>	<b>Vice-Chair Dexter</b>
<b>Aye</b>	<b>Chairman Dupree</b>

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

*The Board Members all raised their hands and verbalized their consent.*

**Chairman Dupree:** And all those in favor, raise your hand and signify with a verbal aye? And before we go, Ms. Polidoro is it important that we say aye, all of us, is that it, for the record?

**Ms. Polidoro:** I do want everyone to state it. I'm not sure how it's showing up on YouTube. Sometimes there's just one face who's speaking. And you know, I want to make sure that everyone is being recorded.

**Ms. Witman:** I can confirm that on all of the votes, I could see all of their faces and hear them and see their hands go up.

**Chairman Dupree:** And I also have mine in gallery, not speaker view, so I can see everybody and that's why I keep saying the motion passes unanimously each time as well. But out of an abundance of caution, we will make certain, everybody says aye or I'll go back to calling the roll. I just thought it seemed easier this way.

**Ms. Polidoro:** Also because we're making a transcript and so for the purpose of the transcript, I'd like their voices, you know?

**Chairman Dupree:** Okay. Thank you. Thanks again, Councilman Krupnick and Supervisor Rohr for making you available to us, to provide this meeting and resources and otherwise everyone have a nice night and a happy summer as of this Saturday.

DRAFT