



## Historic Town of Hyde Park

Planning Board  
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"Working with you for a better Hyde Park"

**DRAFT MINUTES OF THE AUGUST 5, 2020  
PUBLIC HEARING/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  
COUNCILMAN KRUPNICK, TOWN WEBMASTER**

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**Chairman Dupree:** Good evening, everyone. Welcome to the August 5th meeting of the Hyde Park Planning Board. I'll note at the beginning, that this meeting is conducted as authorized by Governor Andrew Cuomo with the State of New York under executive order 202.48, which permits public meetings such as this one to be conducted remotely. I'll also note that this Executive Order expires tonight, so we'll hope it will be extended. May I first confirm with each member that you are alone and not with anyone who'd be causing you to vote a certain way?

*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:** I am alone

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

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

## **PLEDGE OF ALLEGIANCE**

**Chairman Dupree:** Let me start by pledging allegiance to the flag.

*The Chairman led the Pledge of Allegiance.*

## **NEW PUBLIC HEARING:**

### **CARRIAGE TRAILS (a.k.a. Crofton Mews)**

Extension of Site Plan Deadlines for Construction (#16-96)

Location: 1269 Route 9G

Grid #: 6165-01-340743

*In Attendance via Zoom:*

*Louis Kaufman, One Key LLC*

*George Brandt, One Key LLC*

**Chairman Dupree:** Thank you. The first item on the agenda is a new public hearing for what is currently called Carriage Trails. This is an old, old application. I actually had a chance, because the current applicants, current owners, sent us a copy, a link to the supplemental environmental impact statement. I was able to ascertain that this project was actually first approved in 1990. Back then it had 470 dwelling units, I believe. Over the years, rather than just being extended over and over again, by 2000, the then Planning

Board asked for updates for SEQR purposes, because the original traffic studies, et cetera, were all that old. There was then a supplemental environmental impact statement prepared, issued, and adopted. In it, so they could reduce impacts overall, they lowered it to then, I believe, 330 units which were approved. As we know over the years since, it's been revised again. I believe now we have about 280 something units approved. The applicants are seeking to have an extension of the time in which to complete substantial construction because it was already started and may I get a motion to open the public hearing?

**MOTION: Ms. Wasser**

**SECOND: Mr. Oliver**

**To open the Public Hearing for Carriage Trails ( a.k.a. Crofton Mews).**

**Aye Ms. Weiser**

**Aye Ms. Wasser**

**Aye Mr. Pickett**

**Aye Mr. Oliver**

**Aye Ms. DiNapoli**

**Aye Vice-Chair Dexter**

**Aye Chairman Dupree**

**VOICE VOTE**

**7-Aye 0-Absent 0-Nay**

**Motion Carried**

**Chairman Dupree:** Thank you. All in favor please raise your hand and signify by saying aye. Aye. Nays or abstentions? The motion carries. Councilman Krupnick, are the applicant's representatives here yet?

**Councilman Krupnick:** As far as I know, they are not. There was someone named Estimating in the waiting room and I have no idea who that might be.

**Chairman Dupree:** Repeat the last name.

**Councilman Krupnick:** It just says 'estimating'.

**Chairman Dupree:** That might be Mr. Brandt; George Brandt, who works for the company.

**Councilman Krupnick:** Let's let them in and see what happens.

**Vice-Chair Dexter:** There's Lou.

**Chairman Dupree:** There's both of them. Lou. George. Good to see you. You need to unmute. You're un-muted, but we still can't hear you. It may be that your mic is turned off. We didn't even hear you standing up. All I could do is see your lips moving. Literally. Can hear us? *Mr. Kaufman gestured that he could hear.*

**Councilman Krupnick:** You can keep your video on and then call in.

**Chairman Dupree:** So while we wait, since they can hear us, rather than simply do another extension, Tad and the rest of our consultants looked into this and noted that the DEC SPDES, which is the Statewide Pollutant Discharge Elimination System Permit for sewage treatment plants, expired and was revoked on July 5th, 2018. The DEC has also indicated that they need new flow confirmation letters, engineering report and plans. The freshwater wetlands 401 permit, that's required, expired December 11th, 2015. The DEC in a letter from around January, 2020 asked for new application with plans. They also requested that the wetland boundary be recertified. I had told Tad that I thought that we just had that done, but it has actually been over five years. And as we know, the DEC requires that every five years. That's how old this project is. So in a discussion with Mr. Kaufman and Mr. Brandt, what we decided to do, was rather than do an automatic extension, to hold the public hearing open. That way they're in the process and the approval doesn't expire, but they can get us the new information that's required because they have been meeting with DEC. But since we're lead agency, we need to be on top of what the DEC is agreeing with and contacted. So, as soon as we can hear them. Are Lou and George in yet? Nope. I see Lou shaking his head. So that's sort of just a background element there. Does anybody have any questions for me? Stephanie and Ann, I will add, oh no, not Stephanie, Diane and Anne were in the meeting at the time. At any rate there's also other issues that have arisen as well. DEC seems to be requesting an updated threatened, endangered, rare species study to be submitted. I believe the applicants were talking to Mr. Nowicki about that as well. And the original turtle protection for the Blanding's turtles that were known to be near the site, the protection measures have changed. They've actually been tightened up by the DEC. So it seems as though we'd need to make some changes before we just extend this anyway, which is why it was me, who actually suggested just keeping it open and adjourning this for six months to give them time, to get the new plans, new studies, et cetera. Mr. Kaufman and Mr. Brandt, I can still see you, but I can't hear you yet. One minute. Is that what that means? Okay.

**Vice-Chair Dexter:** Michael. Thank you for that explanation. I was wondering when I saw the adjournment for six months, or actually not quite six months, but that makes a lot of sense. And it means that, you know, as things do evolve, they will have everything up to date and approved. And I think that's a good idea to make sure that everything stays current as they move forward.

**Chairman Dupree:** An alternate possibility that we had discussed with Mr. Setaro our engineering consultant, was to just do an extension for six months, but then they have to come back and reapply and have the information there. So since they're in process, as long as we don't close the public hearing without taking action, then the approval doesn't expire.

**Ms. Polidoro:** We generally don't like to approve projects where they have permits that have been expired for two years.

**Chairman Dupree:** Also. I didn't mention it, but the SWPPP, when you have a shutdown like this project has been done, there's still normally supposed to be monthly SWPPP reports. They're just more limited in fashion. Tad can discuss this more. And the bank was actually submitting the monthly SWPPP reports, but there's been two years of inactivity. And the permitting has expired because the last report was March 6, 2018. So there's a lot of things that they need to get moving on again. And it didn't really make sense to extend

something where there is no permit. So they couldn't actually do anything without the permits, as it is. As I said, being lead agency, we need to stay apprised of what DEC , what information is going back and forth between them. And it looks as though Mr. Kaufman and Mr. Brandt still can't phone it in for some reason. Lou and George, if you'd like you could use the chat function to communicate with us about something. It's at the bottom, it's in the bottom icons on the bottom of your screen, it'll say chat and allows you to chat to everyone and we can all read it. If you'd like. Well, this is going to be a fun meeting for people at home to watch, long moments of awkward silence.

**Mr. Pickett:** Maybe if they agree with everything, they can just give a thumbs-up. Okay. *Mr. Kaufman gave a thumbs-up.*

**Chairman Dupree:** Okay. Councilman Krupnick, were there any members of the public who signed in and are in the waiting room waiting to speak about this application?

**Councilman Krupnick:** There are not.

**Chairman Dupree:** I'm sorry. I couldn't hear.

**Councilman Krupnick:** No. There was nobody waiting in the waiting room.

**Chairman Dupree:** Thank you.

**Vice-Chair Dexter:** And Lou did type something.

**Ms. Polidoro:** I just sent Lou the phone number to call in.

**Chairman Dupree:** Any comments from the consultants, Ms. Axelson and Ms. Polidoro? Any comments from the Board or any questions? That was easy. Then we'll wait and see what we can hear. And we still don't have any audio. I guess we just have a thumbs up from Mr. Kaufman. Okay, so then I need a motion to adjourn this public meeting, public hearing to January 20th, 2021.

**MOTION: Mr. Oliver**

**SECOND: Ms. Wasser**

**To adjourn the Public Hearing for Carriage Trails ( a.k.a. Crofton Mews) to January 20, 2021.**

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

**VOICE VOTE**

**7-Aye 0-Absent 0-Nay**

**Motion Carried**

**Chairman Dupree:** Thank you. Any further discussion? All those in favor, please raise your hand, signify by saying aye. Aye. Any Nays or abstentions? The motion carries. Thank you, Lou and George. Sorry, we didn't get to hear from you tonight.

**Vice-Chair Dexter:** Good to see you though.

**Chairman Dupree:** Good to see you and keep us apprised of anything that comes in, just by email. Thank you.

**DUTCHESS COUNTY BOCES LOT CONSOLIDATION**

Minor Subdivision Lot-Line Alteration-4 lots into 1 lot (#2020-12)

Location: 97 Peach Rd., 5-49 Boces Rd., 574 & 578 Salt Point Turnpike, Poughkeepsie, NY 12601

Grid#s: 6263-02-683567, -726558, -830538, -734630

*In Attendance via Zoom: Fred Wells, KG & D Architects LLC*

**Chairman Dupree:** The next item on the agenda is the Dutchess County BOCES lot consolidation. This application was reviewed at the last meeting. Essentially, they're taking four lots and turning them into one. Mr. Wells is here tonight. We had a bit of discussion on this about possibly receiving plans with limited revisions. Those include adding a zoning bulk table, adding final plat to the title as required by our Code, showing an easement and labeling it, that's held by Verizon across the new lot, adding Planning Board signature blocks and adding a block for permission to file with the Health Department. These are all required by Code, but they're just housekeeping. Unfortunately, Mr. Wells said they wouldn't have it ready tonight, which means we'll have to adjourn so we can still receive this as new information beforehand. May I get a motion to open the public hearing?

**MOTION: Vice-Chair Dexter**

**SECOND: Mr. Pickett**

**To open the Public Hearing for Dutchess County BOCES Lot Consolidation.**

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

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

**Chairman Dupree:** All in favorite, please raise your hand and say, aye. Aye. Nays or abstentions? Motion carries unanimously. Mr. Wells, let me turn it over to you for a moment. Anything you'd like to add?

**Mr. Wells:** Good evening all. No, I think you've summarized where we are. We're going to make some final revisions to the plat as the Board requested and our surveyor wasn't able to turn it around for this meeting. So we'll shoot for next week to get it to you for your consideration at the next meeting.

**Chairman Dupree:** Comments from the consultants, Ms. Axelson or Ms. Polidoro?

**Ms. Axelson:** No comments.

**Chairman Dupree:** No, I didn't think so. Any questions or comments from our Board Members? Colleagues? Yeah, this is pretty simple. Councilman Krupnick, is there anyone from the public waiting to speak about this application in the waiting room?

**Councilman Krupnick:** There's nobody in a waiting room.

**Chairman Dupree:** Thank you. There being no comment, may I get a motion to adjourn this to August 19th, 2020.

**MOTION: Mr. Pickett**

**SECOND: Vice-Chair Dexter**

**To adjourn the Public Hearing for Dutchess County BOCES Lot Consolidation to August 19, 2020.**

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

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

**Chairman Dupree:** All in favor, please raise your hand and say aye. Aye. Motion carries unanimously. Mr. Wells. We keep dragging you in here for not much to do, but thank you. It's nice to see you.

**Mr. Wells:** Alrighty. See you soon. Thank you.

**CONTINUED PUBLIC HEARING:**

**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:** Thank you. The next item on the agenda is a continued public hearing for the Enclave at Hyde Park. As a reminder, we had opened this a while back and we had to wait to conclude it until they received a variance from the Zoning Board of Appeals, our sister board here in the town that was received. May I get a motion to reopen the public hearing?

**MOTION: Ms. Weiser**

**SECOND: Ms. DiNapoli**

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

**Aye Ms. Weiser**

**Aye Ms. Wasser**

**Aye Mr. Pickett**

**Aye Mr. Oliver**

**Aye Ms. DiNapoli**

**Aye Vice-Chair Dexter**

**Aye Chairman Dupree**

**VOICE VOTE**

**7-Aye 0-Absent 0-Nay**

**Motion Carried**

**Chairman Dupree:** Thank you. All in favor, please raise your hand and say aye. Aye. Motion carries unanimously. I can see since I'm on grid view. First, would there be anybody in the waiting room Councilman Krupnick, to speak about this application?

**Councilman Krupnick:** I do not see anybody.

**Chairman Dupree:** Thank you. There being none. Let me just summarize by saying, that there was some back and forth today and the last few days, about a building permit being expired. Tad, do you want to add anything to that?

**Ms. Moss:** I believe through the last email that I sent, I spoke with Mr. Westermeyer, who has been in contact with the property owner, Mr. Mermelstein, and Mr. Mermelstein is moving ahead. He is renewing the permit and they are discussing when the timing is appropriate for building permits for both the water and sewer plants. So I believe that issue is being resolved and the Planning Board is welcome to move forward.

**Chairman Dupree:** We were alerted by the building secretary that the permit had expired. Apparently, the issue was that because the water and sewer treatment plants have not been constructed, but the model home has, there was some question as to whether or not it was going to go forward. In that... in the interim, I believe it was Board Member DiNapoli who sent me some notices about how the site's being marketed right now. And apparently, they're already people who signed up to purchase. So I'm pretty sure this is going forward. I'll also note that when we worked this out, our agreement was, or rather this was codified in our resolutions, that they could move forward with the model home, but there would be no building permit for any of the other homes pulled or issued until the water and sewer plants were up. And so the model home is being shown without functioning water, obviously, but it's exciting to know that there's interest in people coming here to join our

community. Not just from the city, I think that maybe from other places because, we saw, I believe it was our secretary, administrative assistant Ms. Witman, who also sent out a picture of what the current sales model looks like and it looked really nice except for a weird pipe sticking up. So that noted if there's no one to speak, do we have any questions or comments from my colleagues on the Board . May I get a motion to close the public hearing with the proviso that we will allow 10 days to receive further written comment.

**Councilman Krupnick:** Michael, hold on one second. There's somebody in a waiting room with the name Steve Matthews. Would he be with this project?

**Ms. Axelson:** He's not with this application.

**Ms. Witman:** He's with Verizon.

**Councilman Krupnick:** Do you know what application that person is with?

**Chairman Dupree:** Verizon? What they call Gretna Road, Verizon the cell phone tower.

**Councilman Krupnick:** Got you, thank you. Sorry.

**Chairman Dupree:** Thank you. Was the motion made? I'm sorry, I'm forgetting already, to close the public hearing.

**MOTION: Ms. DiNapoli**

**SECOND: Ms. Weiser**

**To close the Public Hearing for The Enclave at Hyde Park, with the exception of written comments for 10 days.**

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

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

**Chairman Dupree:** Thank you. All in favor, please raise your hand and signify by saying aye. Aye. Motion carries unanimously, I think. Ann did you raise your hand and say aye? Yes. Okay, great.

**WORKSHOP:**

**VERIZON CELL TOWER-113 SOUTH QUAKER**  
Site Plan & Special Use Permit Approvals (#2020-03)

Location: 113 South Quaker Ln & 115 Melanie Way, Hyde Park, NY 12538  
Grid#s: 6264-04-710450 & 6264-02-590558

*In Attendance via Zoom:*

*Scott Olson, Young/Sommer LLC*

**Chairman Dupree:** The next item on the agenda is Verizon Cell Tower. This is a 175 foot, or 179 with a lightning antenna, cell phone tower proposed at basically 113 South Quaker Lane and more technically on Melanie Way, which is a private road. Mr. Olson and Mr. Matthews should both be here tonight, I believe. So we had a revised visual assessment submitted, as well as responses to some of Ms. Axelson's comments for CPL. She also asked for the full NEPA report to look to read about impacts potentially to endangered, threatened and rare species. So first let me turn it over to Mr. Olson and Mr. Matthews. There you are.

**Mr. Olson:** Hi. Good evening.

**Chairman Dupree:** Thank you. Let me turn it over to you guys to summarize or to add further summary.

**Mr. Olson:** Sure. Let's see. Here we go. So, we received Liz Axelson's comments from last Friday. We know there are still some outstanding items to be addressed, but we feel that most of the items have been addressed now. And the one item I wanted to raise; it is in Liz's Memo. It's item #2. Your RF consultant, Bill Johnson suggested that we build and design this facility to accommodate a taller tower. One that would go up to 195 feet, that's to protect the Town. We're happy to do that. We have no problem, but I believe that Ms. Axelson was suggesting that we should do some additional photo simulations of what that 195-foot tower would look like. I guess I don't see the need for that because in our view, that's not part of the application. And if in the future, that tower needs to be extended by another carrier, they're going to have to make an application to your Board. and at that time they should be the ones to do that. We feel.

**Ms. Polidoro:** For SEQR purposes, to avoid segmentation, I think we want to see at least just one elevation showing it at its maximum potential height. Honestly, it might not make any visible difference, but we want one in the record.

**Mr. Olson:** It's probably not. I don't think SEQR requires that, but I guess I would throw it back to Steve. You know, Steve, can you do something like that without going back in the field? I mean, if we have to go back out in the field, we're talking about spending \$5,000. My client would probably just say, you know, I don't know.

**Ms. Polidoro:** I don't think we're asking you to do that.

**Mr. Olson:** Well, I have to ask Steve, do you want to chime in?

**Mr. Matthews:** We can, we can do that with the current photographs we have, that's not a problem.

**Mr. Olson:** Okay. I still note my objection. I don't think it's required, but if Steve can do it, I guess we'll do it.

**Ms. Axelson:** It's just two views too. It's the two most visible ones.

**Mr. Olson:** Yeah, you have them listed? That's fine. I didn't know if Steve could do it based on what he had done.

**Chairman Dupree:** Actually, we assumed that Mr. Matthews could do this because he also showed - in the change - he actually showed what the antenna would look like, the wider antenna, without having to go back into the field. And it has been noted, by all of us, that we really couldn't tell, even with the wider antenna, at the visible spots, it's so far away, you can't really see what it looks like. There's no visual impact, I guess is what I should say. This is just an out of an abundance of caution as you would state it, Mr. Olson, as well as Ms. Polidoro, to make sure that we're doing SEQR correctly here. So that if, and when there is a need to do this, rather than segment it and say, oh no, it can't go up that high, we've already taken a look at it. That's all. And Mr. Matthews can just give us the two spots and that would seem to conclude that issue.

**Mr. Olson:** Yeah, if Steve can do that, that's fine. I mean, we'll submit it, but we're just going to qualify it, that obviously that's not part of our application. Because what happens is, and as sure as I'm sitting here now, we'll have the public hearing, people will show up and see that and they might flip out. I don't think it's going to make a big deal, but then there's a lot of confusion created, so that's why I always try to just limit it to what we're doing, but I heard your concerns and Steve can do it. So that's fine.

**Ms. Polidoro:** So, Scott, can you confirm that what you've proposed to the Board right now is strong enough to support the extension in the future without being completely rebuilt?

**Mr. Olson:** No, because nothing has been designed yet. So we're not going to do that...I apologize, go ahead, Chairman.

**Chairman Dupree:** I said, there's a note on the map that actually says this. It's already put down on a note, because it hasn't been designed. That's why the note is there I assume.

**Mr. Olson:** Correct. So, in other words, I can't tell you that what is proposed would do that because there's no design yet. We don't, in order to design a tower, we have to buy the tower, in order to buy the tower, we have to pay money for that. We don't do that until we get the approval because we don't want to waste the money. That's why I think there are some other comments about, well, what's the power model and the specifications. And I'm going to say, I don't know right now. We'll get that to you, but we don't know until we order the tower.

**Ms. Polidoro:** Just to clarify for the public, I just wanted you to explain that it would be, it would be built in a manner that would support an extension, but that the extension would come sometime in the future.

**Mr. Olson:** Yes to the first. The second, I have no idea. I don't know if an extension is coming in the future. It's not coming from us.

**Ms. Axelson:** Just to chime in, the comment right after the request about the simulations asks for minor amendment to the note, to make it clear that a site plan amendment would be required for extension of the tower height. So I think the bases are covered.

**Mr. Olson:** Yeah, absolutely. I'm trying to tell you that yeah, no one can go up there and extend that tower, if we get this one approved and build it, without coming back to the Town and your Board. So, you'll be protected.

**Chairman Dupree:** Let me go right over to Ms. Axelson. Comments?

**Ms. Axelson:** Sure, my name's Liz Axelson. I'm a planner with CPL, the Planning Board's planning consultant. And I think we've already touched on a couple of my July 31, 2020 memorandum comments. Part of the commentary is to reiterate some of the visual observations. That's really just for the Board's, you know, ease of record, for when we get to the point of considering any SEQR action on this application. And of course the Board will have to come to its own conclusions. A lot of the comments that are remaining are technical issues. Some notation was requested. We asked for that wording to be changed. I'm going to skip over those things. The reclamation plan was addressed very nicely, some minor revisions there. And then, you know, there are some technical comments about, reclamation and annual reports and that sort of thing, but I guess I feel at this point, the Board, may be in a position to circulate for lead agency. I do have some SEQR-related plan comments and they really have to do with, Scott was good enough to provide the full, National Environmental Policy Act environmental report or NEPA ER, which had the appendices that provided whatever we needed to know whether any protective notes were needed on the plans. So I have requested in my comments, some protective notation regarding the Indiana Bat and Northern Long Eared Bat, that that has to do with tree removal between November 1 and March 31. And then I've also requested some protective notation and also, a plan sheet or part thereof that would provide information for people doing construction, in the event a turtle is encountered on the site so that it can be verified that it's not a Blanding's turtle. We've had a lot of projects that have done a full sheet related to the Blanding's turtle, even though it hasn't been determined to be present on the site, but it's just a protective measure in the event something is encountered. And we do have a couple of plan sheets that could be provided as samples, in the event there's some question about how to present that material. So those are the major comments. The rest of them are fairly technical and given the progress on the plans and reports so far, I expect these details will come together.

**Chairman Dupree:** As the board knows, we have a resolution prepared tonight to classify the action and start the circulation process for SEQR. We feel we're ready for that. And it's also, I believe time for us to consider setting a public hearing. So we'll be trying to get to both of those depending on the discussion tonight. Ms. Polidoro, any comments?

**Ms. Polidoro:** Not at this time.

**Chairman Dupree:** Let me start, as I like to say, from my virtual left, Ms. Weiser comments?

**Ms. Weiser:** I think Liz and Victoria have everything covered.

**Chairman Dupree:** Thank you, Mr. Pickett?

**Mr. Pickett:** No comment.

**Chairman Dupree:** Ms. Wasser?

**Ms. Wasser:** No comments now.

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

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

**Chairman Dupree:** Mr. Oliver?

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

**Ms. DiNapoli:** We're already to you Diane. Sorry, that was fast.

**Ms. DiNapoli:** You almost forgot me.

**Chairman Dupree:** No, I wasn't going to forget you. It's just that we landed very quickly to you.

**Ms. DiNapoli:** My only comment is, as usual, I am duly impressed with the details that Liz and Victoria bring to the table. They should be commended for all their hard work.

**Ms. Wasser:** Agreed.

**Chairman Dupree:** Thank you. Then, before we get to the resolution and motion to set the public hearing, let me play the heavy on this one first. Mr. Matthews, your comment about, the, I believe it was a chain link fence, not needing to be black coated because it would be obscured by vegetation. Our Code - actually in 108-4.5 D. (2) (e)[1] "chain link fencing may be used where necessary for security purposes, but shall be provided with interwoven or applied material which obscures vision and shall be finished in an earth tone or black color." That's why Liz had that as a comment. You can ask for a waiver of that, but you would have to have to ask for a waiver from it. And just so you know, in discussing this with Mr. Setaro, our consultants and staff continue to believe that there may be grading necessary for the access road. I know that it has been maintained that there won't be, but I'm just going to entertain the notion that at some point, if this continues to be at an impasse where it's, he said, she says, et cetera, we may need to have a monitor there to make sure that there's not going to be grading. So I'm going to introduce that now. Otherwise I think that we're moving in good shape and I'm looking forward to the public

hearing to see what the public has to say about this, if anything. We are in a strange time, let's face it. Ms. Axelson, comments or questions?

**Ms. Axelson:** I neglected to mention that I did speak with Pete about the end of Melanie Way and he's going to go take a look, when he has a moment. He's just been away.

**Chairman Dupree:** I'll also add that I appreciated you providing the links for the NEPA report as well. I went through as much of it as I could. It was super long. I will note that it looked as though there's no impact to primary habitat for Blandings Turtles, but it's within the distance where they can rove up to, which I think is why that Liz was bringing up the issue, because we're one of the few sites in all of the state that has a Blandings' Turtle population. So first, may I get a motion to set the public hearing for September 2nd.

**MOTION: Ms. Wasser**

**SECOND: Mr. Oliver**

**To set a Public Hearing for Verizon Cell Tower-113 South Quaker Lane for September 2, 2020**

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

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

**Chairman Dupree:** Thank you. All in favor, please raise your hand and say, aye. Aye. Nays or abstentions? There being none, it passed unanimously and I believe Vice-Chair Dexter is going to introduce the resolution.

**RESOLUTION CLASSIFYING ACTION UNDER SEQRA AND REFERRING APPLICATION TO COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT**

**Verizon Cell Tower – 113 South Quaker Lane/Gretna**

**Date: August 5, 2020**

**Moved By: Vice-Chair Dexter**

**Resolution #: 2020-03**

**Seconded By: Mr. Pickett**

WHEREAS, the applicant, Orange County-Poughkeepsie Limited Partnership, d/b/a Verizon Wireless, has submitted an application for site plan and special use permit approvals to construct an approximately 175 foot tall telecommunications tower on property located at 113 South Quaker Lane and 115 Melanie Way, identified as tax parcel nos. 6264-

04-710450 and 6264-02-590558 (the "Property"), in the Greenbelt Zoning District (the "Project"); and

WHEREAS, the Project is depicted on plans entitled, "Gretna," Sheets T-1, S-1, AD-1, AD-1A, SB-1, C-1, C-2, C-3, C-4, C-5, C-6, C-7, C-8, C-9 and R-1, prepared by Tectonic Engineering & Surveying Consultants P.C., last revised July 14, 2020 and plans entitled "HV1164 Gretna" prepared by Joshua Hoaglund, PE, Horvath Communications, Inc. and Crossroads Group LLC, dated January 15, 2019, sheets T-1, T-4, S-1, S-2, S-3 and S-4, last revised March 15, 2020 (the "Site Plan Set"); and

WHEREAS, pursuant to Section 108-5.14 of the Town of Hyde Park Zoning Law, telecommunications towers and facilities are permitted in the Greenbelt Zoning District subject to special use permit and site plan approval; and

WHEREAS, the applicant has submitted a Full Environmental Assessment Form ("EAF") dated May 7, 2020, 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 617.2(al), all actions not identified as a Type I or Type II action constitute unlisted actions under SEQRA; and

WHEREAS, the Property is located within 500 feet of South Quaker Lane, also known as Dutchess County Route 16; and

WHEREAS, pursuant to Section 239-m of the General Municipal Law, projects located within 500 feet of a state or 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 an unlisted action under SEQRA.**
2. **Declares its intent to serve as lead agency in a coordinated review of the Project and directs its Secretary to send notice of its intent to all involved and interested agencies.**
3. **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.**

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

Aye Ms. Wasser  
Aye Ms. Weiser

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

**Involved and Interested Agencies**

**Town of Hyde Park Town Board  
Town of Hyde Park Conservation Advisory Council  
Town of Pleasant Valley Town Board  
Dutchess County Department of Public Works  
NYS Department of Environmental Conservation  
Roosevelt Fire District**

**Chairman Dupree:** Thank you. Any further discussion? I'll just enter into the record that the involved and interested agencies included the Town of Hyde Park Town Board, the Town of Hyde Park Conservation Advisory Council, the Town of Pleasant Valley Town Board, Dutchess County Department of Public Works, New York State Department of Environmental Conservation and Roosevelt Fire District. We're not technically required to send this to Pleasant Valley Town Board, but because we saw that it will be visible from Gretna Road and it's just maybe 200 yards away from where we would. It's just a courtesy. They're interested only. All in favor of the motion, please raise your hand and signify by saying aye. Aye. Carries unanimously. Anything else you want to add Mr. Olson? Mr. Matthews?

**Mr. Olson:** No, thank you. Have a good night.

**Chairman Dupree:** Great, we'll see you on the second.

**Ms. Polidoro:** I just want to ask the applicant to put together those circulation materials in envelopes, addressed and stamped so that, the secretary can easily put in one sheet of paper and mail them out without having to touch everything.

**Mr. Olson:** You got it. will do.

**Chairman Dupree:** Mr. Olson, before we go, could you give us an update quickly about the other cell phone tower you represented on the Anderson center site?

**Mr. Olson:** Yes. There were a couple of conditions? I had to draft some documents. I drafted them a little while ago. I sent them to my client. My client signed off on them, but we also sent them to the Anderson school because at least one or two of the documents involved them. So we were waiting for sign off from their part. I'll follow up tomorrow though.

**Chairman Dupree:** It's okay. I just realized today I hadn't signed them. And then when I spoke to Cynthia, she said, we don't have anything submitted yet and then I looked at the resolution and the conditions, and thought, oh there's some things you had to do. So it's back and forth.

**Mr. Olson:** Yeah. And I know that the school was looking for something involving their porch or something. So, you know, we made sure that it's in their hands. So hopefully they know, I'll follow up tomorrow.

**Chairman Dupree:** It's a roof over the pool and not a porch. Close enough. And at this point it's been so blamed hot that if their students are in the pool, they probably don't care about the sun or not, they just want to be in the water. So anyway, thank you for doing that and have a nice evening, gentlemen. Thank you.

**Mr. Olson:** Thank you. You too good night.

**Mr. Matthews:** I have a comment about the fence. Liz and Tad did a site walk in June and the memo that was issued from that site walk says, given the location of the tower and compound, black coating on the fence is not necessary.

**Ms. Axelson:** That's all true.

**Chairman Dupree:** You just need to make a request for us to waive it. That's all.

**Mr. Olson:** We'll make that request, Mr. Chairman. Thank you. Good night.

**Chairman Dupree:** Thank you.

#### **OTHER BUSINESS:**

##### **DOLLAR GENERAL 1 EAST DORSEY**

Extension of Site Plan Approval (#2019-04)

Location: 1 East Dorsey Lane, Poughkeepsie, NY 12601

Grid#: 6163-02-504633

*In Attendance via Zoom:*

*Scott Shearing, Bohler Engineering  
Ken Fioretti, Hix Snedeker Companies*

**Chairman Dupree:** The next item on the agenda is to consider a request for an extension of time in which to meet conditions for Dollar General located at 1 East Dorsey. The request was dated July 10th and I believe Mr. Shearing and Mr. Fioretti are here representing the applicant. Mr. Fioretti has got a virtual background or is someplace sunny and exotic. Mr. Shearing, Mr. Fioretti do you have anything to add? I just simply said you've requested it and we've also in our resolution, we've given you what we call tolling. So we've given you extra days based on the Governor's extension of time that we've had throughout this process of COVID-19?

**Mr. Shearing:** Yes, good evening. And I'm sorry, I came in when you were just making that announcement. So I don't believe I caught it all, but I appreciate you hearing us this evening. We were looking for an extension on this project. I believe Ken is on the line, Mr. Fioretti.

**Mr. Fioretti:** That's correct.

**Mr. Shearing:** I don't see you on my screen, but I trust you're there.

**Chairman Dupree:** His background already changed. That was quick. We have a resolution prepared to make the extension. Do we have any comments from our consultants or any comments from my colleagues on the Board? Now, this is pretty simple and we do these things, and we're also looking forward to this application starting because it's a beautiful building. Believe me. We know. So, I believe, there being no other comments, I believe that this resolution will be introduced by Ms. DiNapoli.

**RESOLUTION APPLYING TOLLING PERIOD AND FIRST 90 DAY EXTENSION TO TIME TO SATISFY CONDITIONS OF APPROVAL**

**Dollar General  
1 East Dorsey Lane**

**Date: August 5, 2020**

**Moved By: Ms. DiNapoli**

**Resolution: # 2019-04d**

**Seconded By: Mr. Oliver**

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, if the conditions of approval were not met, site plan approval for the Project would expire on June 1, 2020; 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 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 subsequent Executive Orders, time limits have been tolled until August 5, 2020; and

WHEREAS, on May 20, 2020, the Planning Board applied the tolling period (73 days) to the time to satisfy the conditions of approval to an including August 13, 2020; and

WHEREAS, the Planning Board seeks to document the extension of the tolling period by the Governor (138 days) and to grant the applicant the first 90-day extension of time.

**NOW THEREFORE BE IT RESOLVED, that the Planning Board hereby applies the tolling period to the Project and grants the applicant the first 90-day extension of time to satisfy the conditions of site plan and special use permit approval to and including January 15, 2021.**

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

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

**Chairman Dupree:** Further discussion? All in favor, please raise your hand and signify by saying aye. Aye. Motion carries unanimously again. There were no nays or abstentions because I could see everybody raise their hand. Thank you. Mr. Fioretti, it's good to see you again. Mr. Shearing, it's nice to meet you and good luck. Do you have any other questions?

**Mr. Fioretti:** No, that's all and thank you very much. Good to see you too.

**Chairman Dupree:** Same here. Take care.

**Mr. Shearing:** Thank you, bye.

**HYDE PARK TOWN CENTER NORTH-BLDGS 3, 4 & 5**  
Extension of Site Plan Deadlines for Construction (#16-15)  
Location: 4272-4288 Albany Post Road  
Grid#: 6065-04-933017

*In Attendance via Zoom:*

*Kelly Libolt, KARC, Planning Consultants, INC.*

**Chairman Dupree:** And the last item on the agenda is Hyde Park Town Center North. This is the site where we have a new Domino's Pizza. We have a relocated barbershop, et cetera. One building has not been reconstructed yet, that's the building that holds Feeds Plus, so they've asked for an extension of Site Plan deadlines to complete construction. Ms. Libolt is here. Welcome back, Kelly. You're going to need to unmute.

**Ms. Libolt:** Okay.

**Chairman Dupree:** Is there anything you'd like to add Kelly?

**Ms. Libolt:** No, I was unaware that I had to apply for an extension. So thank you to Cynthia for reminding us that we had to submit this. We are working with a tenant to try to hopefully bring something before you, soon, for those last two buildings and that's about all I can offer at the moment.

**Chairman Dupree:** It's good to hear that you're working with a tenant. Thank you. That's exciting to hear any time that we have new businesses coming into town, you know how this Board likes to welcome them.

**Ms. Libolt:** Yes.

**Chairman Dupree:** So thank you. And all we're doing tonight is setting the public hearing. This is fairly straightforward. Councilman Krupnick, do you have a picture to show of the building? So this is where Feeds Plus is currently located. For people who are longtime Hyde Parkers, this would be just to the left of the former Grand Union, et cetera. And again, the applicant and their architect worked with the Board to come up with a design that we all like that's cohesive within the site. So may I get a motion to set the public hearing for August 19th?

**MOTION: Ms. Weiser**

**SECOND: Vice-Chair Dexter**

**To set the Public Hearing for Hyde Park Town Center North-Buildings 3, 4 & 5 for August 19, 2020.**

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

**VOICE VOTE**

**7-Aye 0-Absent 0-Nay**

**Motion Carried**

**Chairman Dupree:** Thank you. All in favor, please raise your hand and say, aye. Aye. Nays or Abstentions? The motion carries unanimously. Thank you, Ms. Libolt. We'll see you in a couple of weeks. Have a nice night, stay safe and sane and healthy.

**Ms. Libolt:** Thank you. You too. Take care everyone. Bye. Bye.

**Vice-Chair Dexter:** Bye Kelly.

**ADJOURNMENT**

**Chairman Dupree:**

And there being no other business. Can I get a motion to adjourn?

**MOTION: Mr. Oliver**

**SECOND: Mr. Pickett**

**To adjourn.**

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

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

**Chairman Dupree:** By the way, I assigned those two guys, because I know how you guys both like to get out of these meetings quickly, along with the rest of it. So, all in favor, please raise your hand and say, aye.

**Vice-Chair Dexter:** Good to have you back Diane.

**Chairman Dupree:** Thank you everyone. Diane, your hair looks great. And Councilman Krupnick, thank you and Supervisor Rohr, as always for providing the resources so we can conduct these meetings for the business of the town.

**Vice-Chair Dexter:** Thank you, Neil. Thanks everybody.