



Historic Town of Hyde Park

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

MINUTES OF THE SEPTEMBER 2, 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 September 2nd meeting of the Hyde Park Planning Board. Let me first start by noting that this meeting is being conducted virtually as authorized by Governor Andrew Cuomo's Executive Order 202.55, which allows public meetings such as this to be held remotely. May I first confirm that every Board Member is alone and not subject to any kind of pressure to force you to vote one way or another.

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.

PLEDGE OF ALLEGIANCE

Chairman Dupree: Please join me. As we salute the *Stars and Stripes*.

The Chairman led the Pledge of Allegiance.

NEW PUBLIC HEARING:

VERIZON CELL TOWER-113 SOUTH QUAKER/GRETNA

Site Plan & Special Use Permit Approvals (#2020-03)

Location: 113 South Quaker Ln & 115-159 Melanie Way, Hyde Park, NY 12538

Grid#s: 6264-04-710450 & 6264-02-590558

In Attendance via Zoom:

*Scott Olson, Young/Sommer LLC
Steve Matthews, Tectonic Engineering
Mike Crosby, Verizon Wireless, RF Engineer
Kathy Pomponio, Verizon Wireless
Bryan Sarchi, Airosmith Development*

Chairman Dupree: Thank you. The first item on the agenda is a new public hearing for a proposed Verizon cell tower located at 113 South Quaker Lane. We'll take a moment to allow all of the Verizon, the many Verizon representatives to join us. And may I get a motion to open this public hearing? Ms. Dexter you're muted still.

MOTION: Vice-Chair Dexter

SECOND: Mr. Pickett

To open the Public Hearing for Verizon Cell Tower-113 South Quaker Lane.

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

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

Chairman Dupree: Thank you. All in favor, please raise your hand and say, aye. Aye. Any nays or abstentions? The motion carries. The public hearing is open. Briefly before we have the applicants make their presentation, I just want to point out that for all those who might be watching this public hearing, this application has been discussed many times. We first identified potential negative impacts as primarily being visual. A balloon test was conducted during leaf-off season. The Visual Impact Analysis is available on our website. It basically shows that at certain points you will see a portion of the very top of the cell phone tower, but because of foliage, well not foliage, but because of actually all the trees around it and site distances, you won't be seeing as much as we all thought initially, because this is a rather tall tower at 179 feet with the lightning addition to it. We've also had discussions about grading and some other things as well. But I think for the purposes of tonight, the most important thing will probably be a discussion based on some public comment we received earlier, fears of radio frequency radiation, as well as visual impacts. Let me turn it over to Mr. Olson and team representing Verizon. Welcome Scott. Good to see you.

Mr. Olson: Thank you, Chairman Dupree. Thank you. I hope everybody's doing well and it's good to see everybody virtually at least. I have, Mike Crosby here tonight also, on the call. He is Verizon Wireless' RF Engineer. And we have Bryan Sarchi, who's the site acquisition person. So if there are any questions that have to do with RF, I'd probably turn it over to him. You don't need to hear me talk about that, but for purposes of just kind of giving a brief presentation, I have eight slides in PowerPoint. If you would like me to share the screen and just briefly go over that I can.

Chairman Dupree: I think because this is the first time the public, or at least members of the public who might be tuned in, especially because of the public notice, we should probably share it on screen. Okay.

Mr. Olson: I will do that and let's see if I can do it. NO. Okay. Sorry. It's telling me I have to do something security. Darn it.

Councilman Krupnick: I can share it.

Mr. Olson: Neil. That would be great. Sorry.

Chairman Dupree: Thank you, Councilman.

Mr. Olson: Perfect. So, okay. So obviously this is - Verizon Wireless is proposing to build a new communications facility at 113 South Quaker Street. And as the Chairman mentioned in the opening remarks, it's a rather large tower. It is. It's a 175-foot steel structure with a 4-foot lightning rod on top. So the total height is 179 feet. And if you want to go to the next slide. Please, I apologize for my lack of graphic artist's skills, but I wanted to just try to do something. I didn't have a highlighter. I tried to do it on screen. So this is just a site plan of the overall site and those goofy looking yellowish marks...it's intended...Yes, that's Melanie Way, that's the access that we're going to use to get to the facility, which is that square, that structure right there. Thank you. So we're going to use an existing right of way. It's Melanie Drive. It's a private right of way, but we have the right, the legal right to use it. And then as we come off of Melanie Way, we're going to have to develop, you know, a 12-foot gravel access drive that leads to our actual compound. We're pretty much going to follow, there's a natural path there right now, more or less. And we're going to follow that so that we don't have to cut additional trees down. There might be a few trees. I think you were there, might need to come down to widen the path, maybe, but generally we're trying to stay within that current trail or whatever you want to call it. If you want to go to the next slide, and this just shows you generally, it's what they call a self-support lattice tower. It is 175 feet tall. Um, it's in the middle of a wooded area, but clearly the woods, the trees are not 175 feet tall. So the top part of the tower, as we learned during the balloon test and the visual analysis will stick up in some areas beyond the tree height. Because of topography though, I think I would agree with you, I was pleasantly surprised that the visibility of this was rather limited for such a tall tower. That said it will be visible from certain areas and we have that in the visual analysis, but this is generally what you should expect to see. It's a lattice tower. It's wider at the bottom. It will taper at the top where the antennas are located. The tower is being designed - the foundation and steel will be strong enough to hold the additional carriers that are licensed in this market. So, you know, if T-Mobile/Sprint or AT&T, come to us, if this is approved and then built, it'll be able to accommodate them. So that we won't turn them away and you'll have to have a new tower in your town. That's the intent of this. We will design it that way. Your consultant suggested that we do it that way.

If you can go to the next slide, please. Excuse me. So I took this directly from the visual analysis and I apologize, I tried to pull out also some photo simulations, but it wasn't working. The Adobe kept giving me error notices. But this is the viewshed map that shows you general areas where the tower will be visible from. And those areas are designated by the white locations. The other colored locations, the reddish orange type of color, those are areas that the tower will not be visible from. Same with the yellow areas. Both topography and vegetation will serve to screen the tower from certain areas. So overall I think this is very consistent with what we saw in the field and the balloon test, that visibility is rather limited for a large tower. Next slide, please. This is just the list or a summary of what we're trying to achieve from an RF perspective. It's really, I call it kind of a dual-purpose site. It's for coverage. We don't have coverage, especially in the 21-megahertz frequency and I'll show you a slide later that demonstrates that, but these are some of the roads within the town that we're trying to cover. Obviously, there are a lot of residences that also would benefit from the coverage and especially with COVID-19 where most of us are still working from home. It's become that much more important to help provide a robust network. So that's what we're trying to do here. Primarily in the southeastern portion of town. We also have

capacity issues. The network is overtaxed by the sheer large number of people that are using the network. And by locating a site in this location, it will relieve significantly, the existing capacity issues. I didn't provide them here, but in Mike Crosby's RF analysis, he shows you the data that demonstrates how we are just either at, or beyond the capacity of the system. The system has a finite number of users that it can support, as wireless becomes more and more popular, we just are finding that we have to build more and more sites to accommodate that use.

Mr. Crosby: Scott, I don't want to interrupt you, but I do want to just add one thing there, which is when a site like this is constructed and activated, a critical component of this is that while we've listed out the objectives, and they're more detailed in the RF justification document, while we're talking specifically about the area that the new site serves, and that area certainly is going to be improved, an important factor to keep in mind that as we provide a solution like this, the capacity that Scott was talking about is more than just the footprint of the site. This helps to relieve all the adjacent sectors that serve into this area, that serve outside the footprint of the site. So this is more of a community wide benefit than what the coverage map might lead you to believe. So I think some of you understand that, maybe all of you understand it, but I just wanted to reiterate that, because to me, that's critical as a community when you're planning for the future, that this is something that affects more people than just the people that are going to be within the footprint of that new site. So, Scott, I just wanted to add that in really quick.

Mr. Olson: No, I appreciate that. Thank you. Then just last, your consultant, Mr. Johnson did ask that we provide a justification that this is the minimum height necessary. And Mike did that. It's in his supplemental analysis. And I believe that Mr. Johnson looked at that and said it is actually very reasonable. There's not much, because of topography, there's not much we can do to lower it basically.

So if you would go to the next slide. So this I pulled directly out of Mike's RF analysis, and it's a RF propagation plot and it's just for the 21-megahertz coverage, for that frequency and in the center, you'll see this red circle and that's our search area. And if you kind of look around the circle, there's some orange, yellow, and some green colors, and that all represents actual service. And that, it used to be white, but now it looks like it's beige, in the search area and surrounding areas. That means there's not adequate service. There might be some bleeding service from other areas, but it's not enough to resolve the gaps and the capacity. And if you go to the next slide, keeping this one in mind, you'll see what happens with this new site. The new site, then, we have a lot of green area around the search area, as well as yellow. That's good signal strength. That's what we're trying to accomplish. So if you toggle back and forth and you don't have to do it, but you could just see, this is graphically trying to show you the increased service that we will have as a result of this site. Then again, just one example from Mike's analysis. There were other plots for the 700 megahertz, but I didn't want to bore everybody. This is probably one of the better examples. Excuse me, I guess the next slide. And I think, this just goes to some of the written comments that were received today. This proposed site is in full compliance with the FCC emission requirements. And so I just have a couple of bullet points here, but just for the Board and Public's general knowledge, the FCC does very carefully regulate emissions from these types of facilities. They have a rule in place, though any antennas that are mounted to a tower that exceed 10 meters in height are considered categorically exempt from the FCC requirement to monitor them. So in other words, they're deemed safe

for the general public. Obviously, we are at 170 plus feet with our antennas. So our antennas are categorically excluded from the FCC requirement to monitor them for emissions for the general public. They're just too high to have any impact on the general public. And I have a reference to the telecommunications act of 1996. And what that says and requires is that once we demonstrate that we are in full compliance with the FCC requirements, a local municipality is not allowed to consider potential health effects as a result of the RF missions, because again, in the eyes of the FCC, there are no such health effects. So that's why I put the reference to exhibit 9 in there. We did provide a radio-frequency safety report from a licensed New York state engineer and he confirms that even if we fully loaded this tower with all of the available carriers, we would still be less than 1% of that, which we are entitled to emit at the ground level. So in other words, the people that may be neighbors, there's nothing to worry about in terms of the emissions. These are radio signals and they are perfectly safe based on the height of our antennas. And then I just point out that Bill Johnson basically confirmed everything that I had just said, so you had your independent expert confirm that. So with that, I think that's just the general summary that I want to provide. We're happy to listen to any questions the Board may have and the public.

Chairman Dupree: Thank you Scott. I want to just first say thank you again for providing exhibit 9, as was pointed out by our own radio frequency engineering consultant, Mr. Johnson, that is not required by you because indeed the Telecommunications Act of 1996 does exempt us from analyzing it. Then in that report, just for the edification of anyone who might be watching from home, there is an upper limit that is permitted by the FCC. Anything above that might be considered dangerous, but there's an upper limit. The exhibit 9 proved - and Mr. Johnson concurred - that even if, as Scott said, all of the licensed service providers are located on this tower, he would not rise to 1% of that limit. It would still be inherently very safe, in other words. And this is something that's important I think for most individuals who might be living near it to understand, is that the FCC wouldn't have allowed this in the first place had there been concerns about radioactive activity on health?

So we received, before I go to our consultants, we received three comment letters today. The first was from Laura Naselow who expressed objections based on potential health effects from the tower. And I'll point out again, that there should not be any. We also received a letter from Peter, and I'm going to have a hard time with the last name, Matwijiw, he objected both for potential impacts from radiation; he also stated there are studies that have been done to show that potential home buyers reportedly would spend up to 20% less than on a home that was within close proximity of a cell tower. I have not seen those studies and Mr. Matwijiw, which I would probably need to forward those to us, but more importantly, and I believe that Victoria could address this, our attorney, that any impact on home prices is speculative. There's a range, a constellation of items that affect home pricing and location say near to a commercial use or to a cell phone use could in some cases actually... Particularly for a cell phone tower, if there are young people moving into the neighborhood right now, and you saw, thanks to the graphic, Mr. Olson provided that there are serious gaps right now in coverage around this location, including almost the entirety of that neighborhood. So if younger people really value having cell phone service, it might make it more desirable to move into this neighborhood because they wouldn't have to have the expense of a landline and could therefore access everything like young people, including children do from the internet, which is through their cell phones. So again, that's

speculative, and I don't believe that's something that we are permitted to consider, although we can look at impacts on the nearby neighborhood under the special use permit criteria. The last letter we received was from Michael Green, who spoke in favor of the project. I actually already communicated with Mr. Green directly because one of the things he points out that cell phone service in this area is poor, to even nonexistent. As I've said on the record before, whenever I'm driving on Quaker Lane, I can attest to that personally, I'm a Verizon customer. He also asked if it was possible for the Town to ask Verizon to construct the tower that would allow other networks, such as Sprint/T-Mobile and AT&T to connect their equipment, so everyone in the community could have better service. I replied that as Mr. Olson pointed out, we're going to have this cell phone tower, we'll just say in layman's terms, some more heft at the base so that any other service provider could come in and could construct at the higher height that would be required for the additional antennae. That's already been taken care of. And in addition, I pointed out to Mr. Green, that as part of our Visual Impact Analysis, we did have a supplemental sort of analysis provided or photos provided. We asked the applicants to provide simulations with the additional height. This isn't proposed, but just in case to allay concerns. And I believe I can speak for the entire Board Members that when you compared what we saw versus the addition of the 15 feet, I couldn't tell the difference. A lot of this is because as Mr. Olson pointed out, topography. You know, we have rolling hills here. And the most visible spots per the Visual Impact Analysis were actually on private property over in the Kim and Kristi and Kari Blvd. area, which is basically built on a very high promontory. So the higher up your home is you will see some of it. That was probably the most visible. That and Gretna Road, but in both cases, you're pretty far off so the visual impacts are, at least to me, we haven't discussed this yet in terms of SEQR, but I believe they're more minor than what all of us feared at first. I mean, I can tell you that when Mr. Olson first met with us at what we call offline meetings, a small quorum, I thought, oh my God, 180-foot tower we'll never get this through. But once we saw the visuals, it didn't seem quite so alarming. We all, or the majority of the Planning Board Members were, on the balloon test day, driving around, so we actually were on the ground looking at the same thing. Our Planning Consultant, Ms. Axelson was with us. So I believe that we feel as though, to allay any neighbor's concerns that we've actually looked at this issue pretty strongly. And then last but not least, our RF consultant was hired at the applicant's expense, to be honest with you, because none of us are radio frequency engineers and even though I could certainly understand the graphics like Scott just showed, where the coverage was lacking and how it would be more filled. And also, I understand that if you don't have a demand in the capacity over here, because now there's more capacity here that will reduce problems in that other area and Mr. Johnson confirmed all of that. So we actually hired an expert who, as Scott said, concurred, basically with all the conclusions that were presented forth here. So I believe that the Board understands that this is a need, particularly as Mr. Olson pointed out and as Mr. Green pointed out in his comment letter, this isn't just about need for use, it's also about the need for working at home. Also, in cases of power outages, in cases of emergency, you need to kind of have a cell phone oftentimes to call. So those are the only three comments we had from the public. Let me start out with our consultants, Ms. Axelson.

Ms. Polidoro: Before Ms. Axelson starts, I just want to correct something. You had said that the offline meeting was a small quorum, I just want to ...

Chairman Dupree: Not a quorum. Sorry, a non-quorum. Thank you. Thank you for paying attention to my words, Liz, any comments?

Ms. Axelson: The only thing I wanted to say, we have a very substantial application, plenty of detail. Scott mentioned in his presentation that he wasn't able to put any of the simulations in. I have them up on my screen in case the Board, or anybody wants me to try to share them. That's all.

Chairman Dupree: Thank you. If we hear from the Board and they asked for you to show, but I believe, Ms. Witman, our administrative assistant can correct me, but I believe that the Visual Impact and narrative and photos are actually on the website. Am I correct?

Ms. Witman: Correct.

Chairman Dupree: So if any member of the public would like to delve more into what we saw and what we were given. It's right there on the website, under various tabs, you can locate it. Ms. Moss, any comments?

Ms. Moss: No, I don't.

Chairman Dupree: Ms. Polidoro, any additional comments?

Ms. Polidoro: I'm just reminding the Board, for purposes of SEQR, you are reviewing the taller tower as if this was fully stocked with other carriers, because that's what could potentially happen, even though the application before you is just for the one carrier. So just a reminder there. And second, procedurally, this has just been circulated, just maybe a week and a half ago, so we have to wait 30 days to start hearing back from the agencies in the County. So I recommend we continue the hearing.

Chairman Dupree: Oh, absolutely. And as a reminder we did hear back already from one agency, we circulated this too, which is the Dutchess County Department of Public Works. And they did request to be considered still an interested agency, I believe, rather than involved. Those were the only comments thus far than agreeing that we can be lead agency. The purpose of tonight, like I said, as a public hearing, to begin to hear from the public and as I understand it from Councilman Krupnick, there's no one in the waiting room who signed up to speak, virtually, so to call it. So that's why we had the three letters that were submitted today. We may have more comments if there are other residents in the neighborhood, who've watched this, who may have additional questions. So let me start from the top, from where I'm looking, Ms. Wasser any comments?

Ms. Wasser: I didn't know where you were going first. The only comment I want to make was to emphasize that I was also very surprised the day of the balloon test, on the visibility. I thought it would be more prominent and I was pleased that we could get this extra coverage for people who need it without a really overwhelming impact. Or really significant impact in my own mind.

Chairman Dupree: Thank you. Mr. Pickett, any comments?

Mr. Pickett: I agree. I spent quite a bit of time in the Coll Road area, along with Liz and even though it was pretty much leaf-off season at the time, about the only way we could see that balloon is with a telephoto lens through the trees. I think they're showing a picture there so you can see it if you've got good eyes. That day, again, Liz and I spent quite a bit of

time in that area, also in the immediate neighborhoods. And, it's very little visual impact, if any.

Chairman Dupree: I don't know who put the image up on the screen, but we call it back up again real quickly. I believe I could be wrong, but I believe that...Can you see this? What I'm doing? Everyone else?

Vice-Chair Dexter: No, Michael, I think this one says right on it, that this will not be visible from this location.

Chairman Dupree: You can't really see anything from this, so thank you. Ms. Weiser, any comments?

Ms. Weiser: I have nothing to add. Thank you.

Chairman Dupree: Okie doke. Ms. DiNapoli?

Ms. DiNapoli: No comments at this time.

New Speaker: Ms. Dexter?

Vice-Chair Dexter: I agree with my colleagues. The only time I saw that tower, actually was from a distance and then it was just a little, it just poked up above the trees a little. So I was very surprised. So I just wanted to add that.

Chairman Dupree: Thank you. Mr. Oliver, any comments?

Mr. Oliver: I, more of a question maybe for Scott or Mike. During that most recent long-term power outage we had, there was a cell service shortage. Now adding towers like this, will that help minimize that happening when there's a power outage?

Mr. Olson: Mike, do you want to take that one?

Mr. Crosby: Sure. Yeah, so most of our sites that are constructed like this one have emergency power backups. There's really two things to keep in mind here. So at a site like this, the first layer of lack of commercial power is we have battery backups, after the battery backups are exhausted we switch over to our backup generators. So we've had...I don't know if you remember, probably about 12 years ago, we had one of the hurricanes come up and it hit the Binghamton area really bad. And we were, you know, they were out of power for weeks down there in some areas. And we work with, you know, their Homeland folks, New York State folks and others to get access to the sites to fuel those. So we've been through, like many places around the country, we had many natural disasters and we run to those crises and try to keep the network on the air. So this site is similar to those where, you know, this would provide a large footprint of service. So these are the types of sites we want to be capable of having their own battery and generator backups. Some of the smaller sites that you see us build, they're more of a capacity type solution as opposed to a coverage and capacity solution., like this one is. So this is an important site for part of that emergency network. So it's definitely something that we do. I think it's one of the things that most people know our network is known for best is, you know, we're able to keep the

network on for most people, but yeah, sometimes you do lose some of the cells throughout the area and it takes some time to restore them. And they can become overloaded as well, because sometimes there's roaming from other carriers, it might impact our network, you know, where they actually tag onto our network for certain reasons. So it's something that the site would definitely help to improve this area for sure. And it will help those other sites from becoming overloaded, which helps prevent those exhaustion situations that we saw on the charts.

Mr. Oliver: Thank you.

Mr. Olson: Yeah and just to clarify, the plans do show a 30-kilowatt generator, so that this will be equipped with that. So should power go down, it's an automatic transfer over.

Mr. Oliver: Thanks a lot, guys.

Mr. Olson: You're welcome.

Ms. Axelson: And if I could just interject for a moment, Michael, I'm sorry. I communicated with Neil and he was able to find view P14 where you can just, I mean, they had to put a little red circle on the photograph to show where the balloon could be visible. And I do remember trying to see that from Coll Hollow Road. I think I'm pronouncing that correctly, and we had to stand there and just keep looking and wait for the balloon to bounce around, to be able to see it. So it will not be visible from that location or partially visible and that's about it.

Chairman Dupree: Can you scroll down and show us where this site is taken from there. There you are, Coll Hollow Road and Russet. But, as I said, this is during leaf-off when you would have your maximum visibility. And I believe that most members of the public, that's where you're standing, you would say that that kind of blends in with the tree trunks that you see in through there. Also, I think it's important to point out, Mr. Olson has done this earlier and for those of us, who've been on the Board long enough and gone through many of these visual impact analyses, it's one thing when you're out there to say, I'm going to look for that cell phone tower, but in reality, if you're just a regular, Mr. and Mrs. Average Joe driving around, you may not be looking for it. So you may not see it. You'd be surprised how much blends in the background. Vice-Chair Dexter actually discovered that there's a lattice tower and by the way, lattice, the way it's open air and the thinness of the structure, the materials, helps disguise this and camouflage this as well. And in addition, the color of the metal, will, we hope and believe, that it's going to kind of blend in with the sky, which is also another way that it would not be so visually obtrusive. But Vice-Chair Dexter discovered when we did a site visit, a bunch of us earlier in the year, when we could still drive around without masks on together, to look at another cell phone tower that's actually in Pleasant Valley, that's of a similar height. We drove all around it within, and we got close to it like a mile or so, maybe two miles. and we still couldn't see it. But, Anne discovered that at the intersection of the Salt Point Turnpike and what I believe is County Road 41, where it branches off by Hahn Farm, if you're taking the right there or going straight, if you happen to look up high enough, you can see the cell phone tower that we couldn't see from various locations. I also have a place in New York and for the first, I think at least 12 years, I always drove the Taconic, took Salt Point Turnpike and took a right there. I never once noticed it and when Anne told me, I thought, that can't be. I drove over and yup you can

see it, but you have to look to see it because you've got silos and other farm implements there. And I'm not trying to argue for the adoption, I mean the approval of this project. It's just that I know that from myself when you typically see, let's say a disguised cell phone tower that looks like a fake tree, a Frankenspine as they're sometimes called, that draws my eye to it because it's big and there's no tree that grows 180 feet, not out here, not in the Northeast. So even though our Code calls for camouflaging, the applicants had argued and I believe persuasively, that the lattice tower by the nature of how light it is and airy, that that helps camouflage and disguise it. The applicants did, in their Visual Impact Analysis, also show what's called a forest ranger tower, which is a little more square and bulky. And I believe that most of the Board thought that that might be more visually obtrusive. So let me just confirm with Councilman Krupnick that there's no one that's tried to come on and get into the waiting room to speak about this application.

Mr. Krupnick: You are correct, sir.

Chairman Dupree: Thank you, Councilman. So there being no other comments tonight, yes. Ms. Axelson, Liz, did you raise your hand?

Ms. Axelson: I didn't know if we wanted to look at any of the sites where it was visible briefly or is the Board satisfied? Not necessary. Okay. That's fine.

Chairman Dupree: Like I said, if someone's interested, they can take a look. And I just, for the record again, the area you'll see it most prominently from, but again, it's from a distance, is probably on Duchess Hill Terrace Road over in there, and Kari, Kim, et cetera. One of those, at any rate, I think it's Kim, Kristi. At any rate, that would be the most visible that would affect primarily the people who live there. And just again for our residents edification, a Planning Board has to balance a lot of factors when seeking to approve something. And one of those is safety, health, et cetera. So we have to kind of balance the values of, do I want this big tall tower near me versus this is the wave of the future where people are going to communicate, you know, particularly the youngest people, they don't use cell phones just for calling, they primarily use it as personal mini computers. What they used to call personal digital assistants that never kind of took off and now have because of the changing nature. So there's a lot of societal benefit in other words, to seeing better coverage by this carrier and also then to allow other carriers to come along where we know that there's gaps. If there's gaps in this service, there's gaps in those services as well. And last, before I ask to adjourn the public hearing, just to note that we have worked with the applicants to make sure that the overall height of the tower stays below what the FAA would require to have lights on top of for planes. So not only do we think this will not be visually obtrusive, but it will not have the blinking red lights that you sometimes see, which I think would impact no matter where you are, if you saw blinking red lights, even through tree trunks. So Mr. Olson, do you have anything else to add for tonight?

Mr. Olson: No. Thank you, Mr. Chairman.

Chairman Dupree: Anyone else have any final comments? So I believe we should adjourn this to October 7th. That way this will have time to come back from County Planning. As I said, DC DPW or Department of Public Works, sorry, has responded, but none of the other agencies have. Is that acceptable to you, Mr. Olson?

Mr. Olson: Yes. Yes, it is.

Chairman Dupree: May I get a motion to adjourn this hearing to October 7th?

MOTION: Mr. Pickett

SECOND: Vice-Chair Dexter

To adjourn the Public Hearing for Verizon Cell tower 113 South Quaker Lane to October 7, 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 Aye-7 Absent-0 Nay-0 Motion Carried

Chairman Dupree: Thank you, all in favor please raise your hand and say, aye. Aye. Motion carries unanimously, no nays or abstentions. And gentlemen and Madam, Ms. Pomponio, I will see you in a little over a month. In the meantime, have a happy and safe Labor Day holiday.

Mr. Olson: Thank you. You too.

Ms. Axelson: Just one thing, I had emailed to Mr. Matthews, the page of plan notation related to protective measures for wildlife. So I think, if it's possible to add those to the plan set in the next submittal that would be great. Got it. Okay. That's it.

CONTINUED PUBLIC HEARING:

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 Tpk., Poughkeepsie, NY 12601

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

Chairman Dupree: Thank you. The next item on the agenda is a continued public hearing for Dutchess County BOCES. As a reminder, the applicants are proposing to combine four separate lots into one lot. This is located at various spots on Peach Road, Boces Road and Salt Point Turnpike. May I get a motion to reopen the public hearing?

MOTION: Ms. Weiser

SECOND: Ms. Wasser

To re-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 **Aye-7 Absent-0 Nay-0** **Motion Carried**

Chairman Dupree: Thank you. All in favor please raise your hands so we can see and say, aye. Aye. Motion carries unanimously again. So in the interim, we haven't had any public comment on this thus far, and we have not received any written comment either. We were waiting on a couple of changes to the plat. One of which is our code requires any easements to be shown in terms of metes and bounds on the plat. Mr. Wells, who represents this project, his surveyor has had issues, which is why we've still not received them, but in the interim, we discovered that there is, speaking of Verizon, there's an easement dedicated to Verizon for access. Mr. Wells noted that they cannot find a metes and bounds description of it. So he asked me if it was all right to add a note to the plan. And I deferred this to Tad and Victoria, because it's essentially a legal and Code issue. So before we open this up to public comment, Victoria and Tad, do you want to weigh in?

Ms. Polidoro: If there's no metes and bounds, they can't show it in a specific location. So a note is appropriate.

Chairman Dupree: Tad, you're in concurrence?

Ms. Moss: I concur.

Chairman Dupree: Okay, then we'll let Mr. Wells know. Councilman Krupnick, Mr. Wells is not in the waiting room, correct?

Councilman Krupnick: Once again, you are correct, sir.

Chairman Dupree: Are there any comments from the Board? Any comments from the consultants? There being none, I spoke to, or I emailed back and forth with Mr. Wells. He believes that the surveyor can have this ready in two weeks now. So he requested us to adjourn the public hearing to September 16th, may I get a motion to do so?

MOTION: Ms. Wasser

SECOND: Ms. Weiser

To adjourn the Public Hearing for Dutchess County BOCES Lot Consolidation to September 16, 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 **Aye-7 Absent-0 Nay-0** **Motion Carried**

Chairman Dupree: All in favor to adjourn to September 16th, please raise your hand and say, aye. Thank you. The motion carries unanimously.

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

Chairman Dupree: The next item on the agenda is a request to extend the site plan deadline, to complete substantial construction for Hyde Park Town Center North, Buildings 3, 4 & 5. This is the site for, as all of us know, that has the new Mavis, Emergency One, Domino's, may I get a motion to re-open the public hearing?

MOTION: Mr. Oliver
SECOND: Ms. DiNapoli

To re-open the Public Hearing for Hyde Park Town Center North-Bldgs. 3, 4 & 5.

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

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

Chairman Dupree: Please raise your hand, signify by saying, aye. Thank you.

Councilman Krupnick: Mr. Chairman?

Chairman Dupree: Councilman Krupnick, yes?

Councilman Krupnick: I apologize. I might have neglected to include Kelly Libolt on the email chain for the invite. So I just sent her the invite and I'm really, really sorry. So I don't know if you can you proceed to the workshop.

Ms. Polidoro: I recommend that we adjourn this until the end of the meeting to give Kelly some time to sign on?

Chairman Dupree: Okay. May I getIs that legal, to adjourn to the end of a meeting or?

Ms. Polidoro: Yup. We can just keep it open. I mean, just adjourn it right now. You don't need a motion to adjourn it. We'll just move on to the next item and pick it up.

Chairman Dupree: That's what I thought. Table it for the time being. Okay. Sorry about that. And that's okay. Councilman Krupnick, you're doing Herculean efforts every two weeks for us. It's like having a personal television director, which you are, doing this for us and having participated in so many zoom meetings, including at the recent convention, I can tell you that our meetings run a lot better because of your guidance. Thank you.

WORKSHOP:

HUDSON VALLEY HOSPICE HOUSE

Site Plan & Special Use Permit Approvals (#2020-17)

Location: 31 E. Dorsey Ln. & 542 Violet Ave.

Grid#s: 6163-02-570735, -552748

In Attendance via Zoom:

Joe Berger, Berger Engineering

Michele Zerfas, Berger Engineering

Michael Kaminski, Hudson Valley Hospice

Jaime Machado, MAG Designs

Chairman Dupree: So the next item on the agenda could be, potentially a rather long one. This is Hudson Valley Hospice House. The applicants are seeking Site Plan and Special Use Permit approval to construct, basically a house of respite for ill patients. This will be located at both 31 East Dorsey Lane and with a potential entry and exit, although not proposed at 542 Route 9G. In essence, this is a pre-application meeting with the entire Planning Board. We've had a couple of offline meetings with a small non-quorum group of members, and the applicants are aware that in this particular location, the allowed scale is 6,000 square feet, and this is larger than that, so what they were looking for, I believe, and Mr. Machado, their architect, I'll turn it over to him in a moment, but they're looking for really, just some feedback from the Planning Board members as to basic layout, as well as the architectural elevations that they've submitted, because I believe Mr. Kaminski has told Mr. Machado that this Board pays a lot of attention to architecture. So in other words, this is not a fully designed Site Plan. They're just looking for initial comments, that's why it's a pre-application, they'll need to go to the ZBA. I imagine they're also looking to us to see if there might be a positive recommendation for the Area Variance as requested, because we'll be getting that from the Zoning Board of Appeals as well at some point. So now, Mr. Machado, let me turn it over to you. Thank you. you're still muted. I'm sorry.

Mr. Machado: Hi Good Evening. I'm here with Michele Zerfas, from Berger Engineering and Michael Kaminski of Hudson Valley Hospice as well. The project is the 14 inpatient bed suite facility. It's a one-story structure. It's about 15,000 square feet. The documentation also indicates the square footage which is beyond that, which represents the travel for car, pedestrian, sidewalks, roads and so forth. You have that information in front of you. Basically we exceed the scale limitations of the site. And that first picture that you showed is the image of the building from the street, from 9G, also known as Violet Avenue. And

then, the next sheet, number two, is the proposed landscape. This is preliminary, but it shows you the intentions of what we're trying to put as new landscape. And the rest of it is mostly undisturbed. Obviously where the septic field is there's not going to have any trees there. There's the limitation of trees there to begin with. And we are proposing a road that wraps around the building itself. And this is strictly for firetruck access, that is required by Code. And the light colored portion is the placement of the building, which is an L shape, modified L-shaped building, which represents the Hospice. It's a one story with a center, east and west wing. The east wing, which is to the right most or to the right of the landscape Site Plan, also has a small basement for support spaces, such as a mechanical, water, distributing plant and so forth. We are exceeding the scale, as you mentioned, Michael, and currently we're allowed 6,000, we're beyond that. The next two sheets indicate how that's calculated. I could go through that, but I'm sure you guys have the information and looked through it. Any questions you may have I could answer or Michele could answer as well. So, we're not disturbing too much of the existing soil. As far as grading is concerned, we're going to add some fill or to shift some fill within the site and hopefully we're not bringing earth from the outside to the site to make this work. But basically everything is flat except for the road in the back, which dips down about 10 feet. So everything is one elevation except for the very back where the road is. And if you look to the East, which is to the right, there's a shaded area. That shaded area, which is relatively large, is a berm, which firms up to the courtyard that's in the back of the building. As far as the building's concerned, and I can answer questions if anyone has any questions, but the building size is basically fixed as far as the Code and hospital requirements. So we are having 14 inpatient suites and all of the extra supporting spaces pertain to administration, nurses' stations, storage, et cetera, et cetera. I can get into that detail if you wish, you know by me asking or you guys asking questions and I can answer for you. Michele has more information as far as the septic requirement. There is no general water to the site, so we have to create a septic field, which is to the West, that's the left and adjacent to Route 9G. Michele, if you want to go into more detail, as far as the septic system and as far as the water supply. We're looking to do a well here and Michelle could pinpoint that out if she wishes to. That's my presentation at the moment, unless anyone has any questions.

Chairman Dupree: Thank you. I'll be calling on members individually. If they have questions, it'll be aimed at you or Michelle. I do want to point out that, now that the Site Plan has gone, there's an extensive, sort of, garden area in the back that's meant for contemplation. If the building looks large for just 14 rooms, as Mr. Machado pointed out, there's large areas for nursing facility. This is a medical use, in many ways, but also under our Code, just so everyone understands, this is considered a residential use. So it's a little bit of a hybrid, but our Code defines this as a residential use, that's how it's proceeding. And yes, Ms. Zerfas can walk you through, if you'd like, the fact that this is going to be septic, because there's a lot of rock here, like much of Hyde Park, the septic bed will be a raised bed, similar to what we approved for Dr. Howard Mintzer, the veterinary that's at South Cross and Route 9, although this will be a little bit more extensive, it's a bigger building. And again, as we move forward, once they start the process with the Zoning Board of Appeals, I believe we'll be able to do, or our consultants, particularly our engineering consultant, Mr. Setaro, usually do a more in depth and full-bore analysis of stormwater, et cetera, because that'll all be important. But again, for tonight, we're just looking for individual Board Members' comments on again, the basic layout and architecture. If you've had a chance to look at the landscaping, you can certainly comment on it. I don't think that's necessary yet myself. And before I start with consultants, I just want to say that I

was very impressed with the architecture when I was shown this in our offline meeting, at town hall, outdoors, socially distanced. But it made me think that this is a building that Hyde Park can be really proud of and I'm very happy that Hospice has chosen to make this kind of investment into our community. I hope others will feel the same way down the line. Ms. Axelson comments?

Ms. Axelson: Just briefly, I understand the logic of the design in terms of the size of the building. If anybody's ever visited someone who's in Hospice care, you need enough room for staff to be able to tend to the patient and maybe a few family members. And so I think this is a great, um, this exciting facility for Hyde Park, with decent paying jobs as well. The one thing that's a little different about this in terms of the Neighborhood Core Design Standards, the concept is to bring the building to the street, parking behind and in this particular case, I think it's understood why the parking and the drop-off is where it is in front. It's still set back from the road behind the septic, et cetera. The one thing that I think would help in terms of the Planning Board thinking favorably towards what you're pursuing at the ZBA, would be to take a look at the Neighborhood Core District Standards in Zoning section 108-5.4 and consider adding something, I believe it would be just north of the driveway, even if it's just a small green area with a bench. You do have streetlights or some kind of pole light it looks like along the driveway, even if for staff or anybody else that has to wait for Uber or a bus, it would be nice to have just a very simple, sort of plaza area. And I think you could accommodate that in that frontage to the North of the driveway.

Mr. Machado: Can I comment on that? If you go back to the PowerPoint , the first or second, I believe it's is the second sheet, which is the blow up...yes. Now, if you look north, adjacent to, or parallel to the entry road, there's a highlighted green area, and I'm not sure what we're going to do there, but that's destined to have some type of enhanced pedestrian walk to the street. The problem is we're at a stage where we're trying to find out, because of the non-permeable situation and the expensive asphalt that we are required to have. I'm not sure if I can have that. It's something that we would have to discover. There are several things that we're also asking at this point, I realize that there's a lot of, Zoning information that you guys need, but we want to postpone them and then try to get that information that, you know, from that first zoning meeting to see what we're allowed to do. But that's the idea is to have some type of usable outdoor space and, you know, like you mentioned a bus stop or something like that would be a perfect spot for that. So we'll definitely have that on the table.

Ms. Axelson: Yeah. And I wouldn't ever suggest that the Town would be expecting a bus shelter here or anything like that. This isn't that big of a development, but you know, a couple benches along that green strip and just something that makes it a little more inviting.

Mr. Machado: Okay. Yes. I agree.

Chairman Dupree: Thank you. Ms. Moss, any comments?

Ms. Moss: No, I appreciate the applicant coming to the Board for this pre-application review. I think it will be helpful. I think they've done an excellent job in their preparations. Thank you.

Chairman Dupree: Thank you, Ms. Polidoro comments?

Ms. Polidoro: I missed whether sidewalks were proposed along the frontage, but I just want to point out that in this District sidewalks are required. Also given the site's current or past use, have there been any environmental investigations done? Will any remediation be required?

Ms. Zerfas: Victoria, this is Michelle. They did the environmental part of their due diligence before we even got involved.

Ms. Polidoro: Okay. So there's no...

Ms. Zerfas: They didn't find anything.

Ms. Polidoro: Okay, good.

Chairman Dupree: That's an excellent preface sort of question there. And there were requests for waivers, but again, this is not being formally submitted yet, to us, it's going to go to the ZBA first. And for them to kind of take a temperature check for their members as well, because this is a substantial variance, we have to remember. I also should have pointed out and I neglected to, my apologies, that there is no a facility like this in the entire County. There's a Hospice House called, I believe Hoffman House, it's in Newburgh in another County. But where I'm originally from in the South, Hospice operates several of these so that there's a place where, as Liz said, family members can go and be in a little bit different environment than say a hospital. And part of the reasons why the rooms are large is not just for staff, but there's also an ability at times, if people want to, to have family members spend the night with you there, because this can be crucial to both the family and the patient during that time. So let me start with my colleagues. I'll start to my virtual left, Mr. Oliver, any comments?

Mr. Oliver: Firstly, thank you very much for looking at Hyde Park and for investing in our town. My only question or comment would be, given the nature of the neighborhood and the character, is there any reason why you're coming in off of East Dorsey instead of 9G, Violet Avenue?

Ms. Zerfas: The access is off of Violet Avenue, not off Dorsey. It's off of Violet Avenue.

Mr. Oliver: Okay. I must've been confused on that. Thank you.

Chairman Dupree: No, Chris, in the initial materials provided, there's some things shown tonight on the slide with the PowerPoint presentation that we didn't see. It was actually hard for me to find where the driveway was. We had to go through a lot of series of lines and there wasn't the shading you saw tonight, so that's probably why with the material, it was a little confusing. This was much easier. As soon as I saw this, and we were sent this earlier, I thought, "Oh, I can see it all now." So thank you very much.

Mr. Oliver: That was my only question.

Chairman Dupree: Vice-Chair Dexter, any comments?

Vice-Chair Dexter: I echo the comments about this being a very timely and much needed type of project. I wished that these had been around and I think it's very exciting, but I have a couple of questions. One is what used to be on that site? I I've lived here so long and don't ever remember anything on that site.

Ms. Zerfas: I look at the old records at the health department and I couldn't find anything. I saw somewhere there might have been one reference that there were maybe some old camps or cottages on there, but I haven't been able to find anything definite that was on that site.

Ms. Polidoro: Oh, you know, I assumed it was owned by Craig Thomas and the other property in the name of a pest control company. I just assumed it was used for pest control, but perhaps it hasn't been.

Vice-Chair Dexter: I've never seen anything on that site, ever.

Ms. Polidoro: Okay.

Ms. Axelson: It looks like there's a little tiny bit of parking right across the street from Hyde. When Hyde was in its heydays.

Vice-Chair Dexter: Yes. Overall, I do understand the need for the variance, but because the site looks like it could accommodate it well and you've done a great job of designing what appears to be an almost residential type building so it doesn't glare at you like a big box store of similar proportions. So, I think that I could find the justification for that variance and again, the need for that type of facility is really great. And, jeez, it's Newburgh and I don't know of any other place, so this would be like the second one in the Hudson Valley.

Chairman Dupree: Do you have any comments on architecture or basic layout?

Vice-Chair Dexter: I think that's what I was trying to get to is that it appears residential to me. It does not look like it's a big, gigantic, huge anything. I like the single level. I mean, I really like the architecture, sorry.

Chairman Dupree: As you know, I agree. Anything else? Ms. DiNapoli?

Ms. DiNapoli: Well, if you're talking about architecture and it is really very stunning. And I guess I mean this obviously facetiously, but I wouldn't mind going there. Because it is very inviting and warm. The colors, we can't hold anyone to exactly to the colors at this point, but it's a very inviting setting that they have. And like my other colleagues, I want to thank you for choosing to build this here in Hyde Park. We're very fortunate. My one other question would be, has the architect designed other hospice residences?

Mr. Machado: Yes, we've designed and built five Hospices in the general region. There's one Hospice in Newburgh, that's called the Orange and Sullivan Hospice. Good Shepherd Hospice in long Island, we did three locations there. In Nanuet, New York...

Ms. DiNapoli: I'm sorry, what did you say?

Mr. Machado: In Long island, we worked with Good Shepherd Hospice and we did three hospices there. One of them is in Port Jefferson. The latest one was United Hospice of Rockland, which is in Nanuet, New York.

Ms. DiNapoli: Where?

Chairman Dupree: In Rockland County.

Ms. DiNapoli: I'm having a hard time hearing him, thanks.

Mr. Machado: It could be my laptop.

Chairman Dupree: Thank you. Before I go on to, and to Ms. Weiser, Councilman Krupnick, could you call back up the elevation on the screen for a moment? Thank you. Could you go to, I believe it's slide seven or eight. So these are other views that I don't believe initially that the Planning Board saw, although I had them. So one of the things I want to point out and I feel like I'm sort of stealing Mr. Machado's thunder, but if you look at the height of the roof line and the various, I don't want to call it an oriel, but maybe a turret. This is designed to have lots of light. When you walk in, wherever you are, this is designed to be open and airy, to have a certain dialogue with the outside, as well as the inside, which I think will probably cheer up patients. And Mr. Machado did not point it out, but there's also a chapel for individuals to go to when they need the availability of that kind of service. You see on the bottom of these two slides, in the back, what appears to be sort of like a chimney or fireplace. Mr. Machado, do you want to discuss what that is?

Mr. Machado: That's correct. Right behind, it's a two-sided fireplace. There's an outdoor plaza so when the weather's nice, they could see the fire from both inside and outside. On the interior side is a great room. It's very much like a large living room with cathedral ceilings, with the wood trusses, clustered with sofas, so people catching up will find a place to stay. There's a lot of nooks and crannies. Actually throughout the whole building, there's several lounges along the parking side of the building. On the courtyard side, is where all the inpatient suites are. Each in-patient suite will have the ability to open the door and walk out into the courtyard, if you wish to do so. The doors are wide enough, so you can actually roll out the beds if you know, that situation is required. But in most cases, handicap accessibility is 100% throughout about the site. So you can walk within the confines of the courtyard, which is secured and elevated, from the rear of the yard, which is actually the same level as the main building. And then there's also a facility around the building, but not a 100% of the whole thing, just on the courtyard side. So there's plenty light. All the large windows on the parking side are facing North, so there's the opportunity of not having window treatments, because you don't have to worry about the light coming in, the northern light.

Chairman Dupree: Thank you. I felt it important to have the ability for, if there are people watching on TV, to see kind of the whole of the building and to see how well thought out this has been in terms of accommodating the needs of patients and families inside. As I said, to me, it's also a structure that I think we can be proud of in terms of its visuals and overall aesthetics. At any rate, Ms. Weiser, you'll be the next to comment.

Ms. Weiser: So yes, I echo my colleague's thoughts that we're really happy to see you here. I just want to let you know, I think it's a really good-looking building. Like while it references Hyde Park's rural nature, it also gives us some very tasteful and simple modern finishes. So I think it's extremely pleasing and I don't think we're going to see much of it from the road, which is really unfortunate.

Chairman Dupree: I agree with you there, you'll have to kind of give a quick 45-degree angle as you're driving by to really see it because of the nature of the aperture that's on 9G. Thank you, Ann. Mr. Pickett, comments?

Mr. Pickett: Several. Yes. One, I think it's a great fit for the area. I got to see some of the later pictures that Cynthia had provided. Comments are, Victoria already made the one, on sidewalks. Another one is you've got a lot of south facing roofing area that might fit some opportunities for solar. And then the extension of land that the goes down onto Dorsey. If that's not going to be utilized at all, might you want to somehow offer it to the neighbors that are down on Dorsey? Just a thought.

Chairman Dupree: When you say offered, you mean for sale, to subdivide?

Mr. Pickett: Gifted or whatever, it would mean less maintenance for them. Just a thought. It's just kind of an oddball piece of land that now sticks out there and it's not going to be utilized for anything.

Ms. Polidoro: I was actually going to ask if you were going to use it for an emergency access way, should the first driveway have a tree fall or something like that?

Ms. Zerfas: That's sort of in discussion. And if we go forward, discussing it with the fire department and what they would like.

Mr. Pickett: Okay.

Chairman Dupree: Thank you Mr. Pickett, as always, that's a good consideration to perhaps think about adding solar panels to reduce carbon footprint, et cetera. That's excellent. The Board will have to consider sidewalks. As I said, basic layout is one thing we're discussing tonight. So if you feel strongly that there should be a sidewalk, put in along route 9G, now would be the time to tell the applicants. Ms. Wasser, comments?

Ms. Wasser: Well, yes, thanks. I agree with all of the comments that we've heard already about this use being here and how happy we are to see it. I am happy to see it. I did notice just now when those other two images came up, versus the first printed image, rendering, that one has charcoal roofing and the other one that had the split view looked like it was light colored roofing. And I know we're not talking color, but they do look different. That was not my most important comment, but I just happened to notice it now as the other images came up, because there is a lot of roofing. And then on the other one, it's showing charcoal and in my own particular preference is the darker versus the lighter, but we're not there yet. So, I do like the look of the building and I am not overly concerned about the scale, relative to how the building sits on the entire parcel, open space versus the impervious; the structure itself. I do think that the parking, I understand why it's sited the way it is, the parking. I understand you need the back the way it is, but I would like to see

either the parking shifting even more to the Northeast or extensive trees to shade and screen the parking lot from 9G and those neighbors. That was one of my comments. And when I was looking at the different site plans, I find them very difficult to read. It may be they're in process, but like property boundaries, ingress, egress... just there's so much on here and every line is the same width and the same darkness. And I cannot...I am going to need some clarification when the application comes in and maybe others feel the same. But those are my only comments now. I am really, really excited about this project. Thank you.

Chairman Dupree: Thank you very much. So I'll conclude by noting that just as we did for the new Dollar General, that will be going up at intersection of East Dorsey and Violet Avenue, I want to point out that in terms of scale, I've actually discussed today with the Supervisor, perhaps rethinking this being a neighborhood business district just to the South, because the scale that already exists there is actually huge. When the zoning was adopted, we had the Town Center Historic District, which is the largest scale out, then East Park Business District, which is the second. Every other business district became a Neighborhood Business and that may not have...as Anne and I can attest to this, Ms. Dexter, as we've been working with the Zoning, we keep occasionally saying maybe we should rethink this to the Town Board and they've been receptive each time. Like for example, even though this is a different district, Neighborhood Core, it's just a block and a half down from St. Peter's, which is huge in terms of scale and far exceeds 7,500. So to me, what Stephanie just said about the way it sits within the context of the overall acreage of the site, as well as the fact that there's other properties with structures that already exist, that exceed scale massively, I would be happy to recommend this. And that's also premised to the fact that I agree with what I think every one of my colleagues said, this is a great use and it's a needed one in our County, in our community. And also as Ms. Axelson said, these are jobs that actually are well paying jobs as we go through and particularly right now, anything that offers a high paying job, I think that we should, you know, give consideration to after what we've gone through with the COVID crisis. So, do you have any questions for us? Mr. Kaminski, Mr. Machado, Ms. Zerfas, I think you overall heard positive comments about the architecture and with the exception of Ms. Wasser basically saying we should either push the parking further North or add more trees, which I would agree with. I just haven't been that granular yet in terms of this, but I think the basic layout is okay. I understand why the building's so far back. The raised fill pad for the septic, that's the only location I think you could find for it probably, because as I said, that's a lot of rock on this land until the back where it drops off. I do have one quick question, on the Site Plan, there's in the south east border or property line, there seems to be a rectangle, which I assume is a structure that's straddling the property lines. I don't know what that actually is or if that's like a shed that exists.

Ms. Zerfas: The surveyor identified it as a shed.

Chairman Dupree: It's a shed that's on two property lines?

Ms. Zerfas: Yes, it probably belongs to the neighbor.

Chairman Dupree: Okay. Then that's up to you to deal with the neighbor, but it does show that the majority of it is actually on your site. It appears. That's just a little question that we had. And I also think that it was ingenious that you're able to add a sort of basement area, Jaime, for the uses that you've described in through there. Again, even

those it seems like a large building, a lot of it is going to be taken up by patient and family uses. So that really concludes what I had to say. Do you have any questions of us? I'm sorry. Ms. DiNapoli keeps raising her hand. I keep not noticing.

Ms. DiNapoli: That's okay, I didn't mean to interrupt. I'm just getting back to your comment, Mr. Chairman, about sidewalks, that this was the time to mention. So I just wanted to weigh in that, that would be a useful addition because then slowly, if you think of where Dollar General is and where they are, we might be able to get the beginnings of a nice long stretch of sidewalks.

Chairman Dupree: And in case no one can see, Ms. Dexter is showing thumbs up. So it appears as though we may be instituting the requirement that there is a sidewalk along...You're talking about just 9G, not Dorsey Lane? I take it just 9G, right? Okay. So the applicants are aware of that. Any other comments? Yes. Ms. Moss.

Ms. Moss: I would like to concur that the sidewalk is an important feature. I would like to note that if that flag is dedicated to neighbors, that it has the potential to impact the impervious cover. I don't know if that's going to be important and looking at the site plan and knowing what's along Dorsey, will there be any views from Dorsey looking at the back of the building? The building is positioned and formed to, visually from Violet Avenue, it kind of recedes into the distance, but from the Dorsey side that will have opened up the width and is there potential for visibility from there over the top of, I believe a car repair place.

Ms. Zerfas: The only place might be the car repair. There's a lot, there are many tall trees around houses and the car repair place. There might be some, but there's also going to be bioretention in there. And I like to put trees in bioretention. So I think that it'll be broken up, you know, they may be able to get glimpses of it, but it won't just be a massive facade. We're leaving the big trees that exist on the site undisturbed and for where I've put in the bioretention, I'll plant trees.

Ms. Moss: Thank you.

Mr. Machado: I can also add that immediately adjacent to the courtyard, or the rear of the building, which is the courtyard portion, that is raised up. So almost 50% of the building would be naturally blocked by the raised courtyard. That's going to be pretty much flat, but a berm in a treed area, we're looking for conifers so it stays green year-round, but you know, one of the reasons is because, the easterly winds that we might have during the winter. So we are aiming to have the courtyard usable year-round. I know that sometimes people like to walk out in the snow and maybe that's their favorite thing, you know, we're looking for that already. So if anything, if it was not blocked by the raised or the leveled courtyard, it's mostly the windows. And so you may be able to see the top of that because the trees beyond our driveway, or the new construction, we're going to retain a lot of the existing trees. So that would also block the view. our intention is not to see the surrounding area. We're trying to block out as much as possible, which is advantageous for the neighbors as well.

Chairman Dupree: I'd also like to add for the record that I think that Mr. Machado has done an excellent job of designing a building that's actually quite beautiful from every

angle. I mean, you're meant to go back out in the garden and in the terrace in the back as an activated area by people, so it's not designed to look ugly. It's designed to look nice, but I think it's a good question that you raised about the angle and the vision or the view potentially from Dorsey Lane. Knowing how fast people go on Dorsey, I'm not sure they're going to have time to see it. I recall that we had many comments about the speed of Dorsey Lane and the Town Board has heard comments or complaints, we'll call them, about the overspeed of Dorsey Lane. But that's a very good comment Tad, anyone else? I see someone else's hand raised. Yes, Liz?

Ms. Axelson: So, I'm assuming we'll have another submittal, because I don't think we were supposed to do a detailed review at this time. Just a couple of things. Today, when Tad and I were speaking, she also pointed out, that there are some supplementary requirements in Zoning section 108-23, which are supplemental requirements for residential care facilities and earlier in the meeting, I mentioned the Neighborhood Core District Standards at Zoning section 108-5.4. And then the other thing, I took a look at the landscaping plan. I'm just hearing what Michele is saying about existing vegetation, so what I would love to see on a landscaping plan is to really highlight existing vegetation with notation that it's to be retained. And then, I guess I was kind of hoping for a little bit more buffering near the parking area to the North. And I guess then we'll have to look and see if buffering is needed outside of the building because it is attractive. So those are my initial things in addition to the regular site plan, design standards and elements and all those requirements.

Chairman Dupree: We can certainly require some buffering in terms of minimizing visual impacts from say cars pulling in at night on the neighboring properties, or to minimize noise. But I do want to point out that - Ms. Moss can correct me - but I believe that this is under our Code considered a residential use. Therefore, there is no screening required between residential to residential uses. This is not a non-residential use. So again, those are all good points, but I want to make sure that the Board is aware, my colleagues, that while for the office headquarters for Hospice, we required screening because there's residential uses on the other side of, I think School Road. In this case, even though there are adjoining residential properties, this would be loosely a residential use. So that's just a consideration in through there, but I believe I'm making a notation about, I know that when we met with Mr. Machado and Ms. Zerfas, they wanted to keep as much of the natural landscaping that lies around the perimeter as possible for the same reason. So Mr. Machado, Michele, any other questions for us?

Mr. Machado: I don't have any.

Chairman Dupree: Michele, there you are.

Ms. Zerfas: I don't.

Chairman Dupree: So your next step will be, I believe you're going...have you already applied to the ZBA for your variance?

Ms. Zerfas: We haven't. We just wanted to see if there was some sort of major thing from you guys that we would have to change before we went.

Chairman Dupree: I don't think you're hearing anything major.

Ms. Zerfas: No, I mean the minor things. I mean the sidewalk and stuff, but I mean if all of the sudden you said move the building or something, you know, something that was negative instead of so much positive.

Chairman Dupree: Well I'm glad to hear you thought that it was positive, because I did and that was the purpose of our first offline meeting with the small non quorum group. I think if there had been anything major, I'm pretty sure we would have heard it then because I have a great group of colleagues and that's why they come along to these offline meetings so we can help advance projects earlier. And I recall both that were with me saying, wow, it looks great. Anyway, I think you've done a fantastic job and we'll look forward to processing this application as soon as you submit. And it sounds as though there'll be a positive recommendation coming, we'll have to evaluate it once the ZBA refers it to us, but for the Area Variance request. So if there's anything else we can do in the interim to assist, please let us know. Anne, yes?

Vice-Chair Dexter: So if they're going to the ZBA first, what about SEQR?

Ms. Polidoro: The Planning Board should be doing the SEQR review because this is a big project. So they would have to submit simultaneously to the Planning Board and the Zoning Board.

Vice-Chair Dexter: Okay. I just wanted to clarify that.

Chairman Dupree: But I believe they're first going to the Zoning Board, almost like we did, like a pre-app, am I correct Michele? You're going to a sort of pre-app meeting.

Ms. Zerfas: Yes, because the other component on this, is that we have to consolidate the two lots. I don't think we can get a Zoning Variance until the lots are consolidated.

Chairman Dupree: In other words, this looks simple, but as always, it's not.

Ms. Zerfas: The one thing that actually will help us, is as soon as possible, when you guys are ready, that we can circulate because the DOT will not look at it until it's circulated and they can do their SEQR number.

Ms. Polidoro: So we just need a submission, a full submission.

Chairman Dupree: Do a submission then and actually meet with the ZBA informally. I think it would be prudent to do simultaneous submissions, including the combination of the two lots - a lot line alteration, a minor subdivision in our case - that way we could proceed as quickly as possible. You submitted an EAF, I know with this, so we sort of have an idea of what potential impacts are, which I don't believe there are a lot, but of course we still have to pursue that as we go through, but it is a state highway and we have the traffic numbers for what you anticipate through there. We know the number of employee parking spaces that you're required to have, that you've provided for and how many visitor spaces per bed. So all that's been included. I mean, this isn't as I said, granular, but it's certainly far enough along that we had a good enough idea of what to look at in order to give you our responses. So I guess the next steps would be, you're going to talk to the ZBA this month, I hope.

Ms. Zerfas: I hope so. I'm hoping we can get on with them.

Chairman Dupree: Okay. And then as soon as you have some sense, as I hope you received from us, then the next step would be to make the application formally and we can get the SEQR circulation going. I know we'll have to go to Department of Health. You're not doing anything on Dorsey, so not sent to DC DPW. There's no entrance, but you should talk to the fire department of course, about that as well. I may be wrong, but having worked with Roosevelt for 15 years now, I think the circulation pattern, you have around will probably be sufficient, but then again, I don't want to speak for them. I guess, you'll need a SPDES permit for the discharge into the septic, so DEC, and we'll go through and figure out who else there might be. But I don't think the circulation list will be that long this time. And last but not least, if anyone wants to schedule a site visit, I've seen this site just driving by and I pulled over a couple of days ago and just peered in and, you know, it's an interesting sight to see developed. If you want to do a site visit, just let me know and we'll ask the applicant.

Ms. Polidoro: I think at some point it would be helpful when they make their submission to do a site visit with the corners staked, so you can really understand where the buildings going to be.

Chairman Dupree: That's a great idea. The mass as well as the scale. So thank you. Good luck before the ZBA and then in the interim, if we can be of any assistance, just let me know. Okay.

Mr. Machado: Okay, great.

Chairman Dupree: Thank you.

Mr. Machado: Thank you. I appreciate everyone's time in giving us the opportunity with this workshop. Very helpful.

Chairman Dupree: Thank you.

Ms. DiNapoli: Thank you.

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

CONTINUED

Chairman Dupree: Okay. So we had a note from Ms. Libolt. She had a family emergency. So what I'd like to do is have a motion going back on the calendar to adjourn the public hearing for Hyde Park Town Center North Buildings 3, 4 & 5 to September 16th. I believe that motion will be coming from Ms. DiNapoli.

MOTION: Ms. DiNapoli

SECOND: Mr. Oliver

To adjourn the Public Hearing for Hyde Park Town Center North-Bldgs. 3, 4 & 5 to September 16, 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 Aye-7 Absent-0 Nay-0 Motion Carried

Chairman Dupree: Thank you, all in favor, please signify by saying aye. Aye. We wish Ms. Libolt the best with the family emergency.

OTHER BUSINESS:

MACY 12 WEST ELM AVE
Site Plan Waiver Approval (#2020-11)
Location: 12 West Elm Avenue
Grid #: 6067-04-995430

Chairman Dupree: The next item on the agenda under other business, there is a Site Plan Waiver request for the addition of a shed at 12 West Elm Avenue. This is located in a Statewide Area of Scenic Significance, so it requires Site Plan. We do have a recommendation from Ms. Moss for the waiver and I believe everyone was a sent over the materials. It's a small shed. Any questions from the Board on this application? I believe the resolution's introduced by Mr. Oliver.

TOWN OF HYDE PARK PLANNING BOARD

Sue Macy
6067-04-995430
12 West Elm Avenue
SITE PLAN Waiver
Town Code Section 108-9.4 C 2

Date: September 2, 2020
Resolution: 2020-11

Motion by: Mr. Oliver
Seconded By: Vice-Chair Dexter

Whereas, a request for Site Plan Waiver has been made to the Town of Hyde Park Planning Board by Sue Macy for construction of a 10' x 20' shed on property located at 12 West Elm Avenue. The property is located in the Historic Overlay District and requires a Site Plan Waiver, 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, a variance was granted August 26, 2020 to permit a side yard setback of two feet where five feet is required Resolution #20-14Z, 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 shed as described in the building permit received by the building department April 28, 2020, including supplemental information presented to the Planning Board and per the request to the Planning Board dated June 3, 2020.**

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

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

Chairman Dupree: Thank you any further discussion all in favor, please raise your hand and signified by saying aye. Aye. Motion carries unanimously. No nays or abstentions.

EXECUTIVE SESSION

Chairman Dupree: Consultants, you're free to peel off. Ms. Pomodoro, enjoy the beach. Liz, speak to you later and Tad have a nice night. May I get a motion to enter into executive session?

MOTION: Mr. Pickett

SECOND: Mr. Oliver

To go into Executive Session.

Aye	Ms. Weiser
Aye	Ms. Wasser
Aye	Mr. Pickett
Aye	Mr. Oliver

Aye **Ms. DiNapoli**
Aye **Vice-Chair Dexter**
Aye **Chairman Dupree**

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

Chairman Dupree: Thank you. Ms. Witman will be accompanying us and...

Ms. Witman: Are we going to vote on that though?

Chairman Dupree: I'm sorry. All in favor, say aye. Aye. Motion carries unanimously. Councilman Krupnick, can you end the live stream and the audio recordings?

Councilman Krupnick: Yes.

Chairman Dupree: And when we are ready to return, I will contact you.

Chairman Dupree: Thank you, Councilman Krupnick for your patience, as well as anyone who might be watching this via live stream or will be watching this in the future for your patience while we were in executive session. May I get a motion to leave executive session and return to the regular public meeting?

MOTION: Ms. DiNapoli

SECOND: Ms. Wasser

To leave Executive Session and return to the regular meeting.

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

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

Chairman Dupree: Thank you. All in favor, please raise your hand and say aye. Aye. Motion carries. There were no decisions made, as always, in executive session.

ADJOURNMENT

Chairman Dupree: There being no further business, may I get a motion to adjourn this meeting?

MOTION: Vice-Chair Dexter

SECOND: Ms. Weiser

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 Aye-7 Absent-0 Nay-0 Motion Carried

Chairman Dupree: All in favor, raise your hand and say aye. Aye. Thanks everyone. Thanks Neil; Councilman Krupnick. Thanks everybody, because it was fun. Thank you. Good Night.

**** Motion made at the September 16, 2020 Hyde Park Planning Board Meeting****

MOTION: Vice-Chair Dexter

SECOND: Ms. Weiser

To approve the minutes of the September 2, 2020 Planning Board Meeting.

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

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