



Historic Town of Hyde Park

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

MINUTES OF THE SEPTEMBER 16, 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: 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 16th, 2020 meeting of the Hyde Park Planning Board. Please note that this meeting is still being held virtually as authorized by Executive Order 202.6 by Governor Andrew Cuomo of the state of New York. May I first confirm that each Planning Board Member is alone and not subject to any kind of duress or pressure from anyone present with you to make you 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.

PLEDGE OF ALLEGIANCE

Chairman Dupree: Thank you. Please join me as we salute *Old Glory*.

The Chairman led the Pledge of Allegiance.

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 first item on the agenda is a continued public hearing for Dutchess County BOCES. As a reminder, the applicants are seeking to combine four lots into one. May I get a motion to reopen the public hearing?

MOTION: Ms. Weiser

SECOND: Mr. Oliver

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

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. Thank you. Ms. Axelson has joined us. Hey Liz. We don't have anyone in the waiting room to offer public comment and we have not received any public comment on this application whatsoever, thus far. The applicant's representative, Mr. Wells has indicated that the surveyor is still having server issues and so cannot make the changes. We did inform Mr. Wells, after the last meeting, thank you Ms. Witman, our secretary, because I'd forgotten too, that since there is no metes and bounds description that we can find for the Verizon easement, a note on the map will be sufficient. So Mr. Wells asked us to open and adjourn this to October 7th. Are there any comments from consultants, Ms. Moss or the Board? There being none, may I get a motion to adjourn this to October 7th?

MOTION: Ms. Wasser

SECOND: Ms. Weiser

To adjourn the Public Hearing for Dutchess County BOCES Lot Consolidation 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

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.

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: The next item on the agenda is Hyde Park Town Center North. This is for buildings 3, 4 & 5. This is an extension of the time in which they may complete construction. If you'll recall, they changed two buildings already. Reclad them. We're waiting on what we call the next building, which is what most locals would know is Feeds Plus. May I get a motion to reopen 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 **7-Aye 0- Absent 0-Nay** **Motion Carried**

Chairman Dupree: Everyone in favor, please raise your hand and say aye. Aye. Any Nays or abstentions? Nope. The motion carries unanimously. Kelly Libolt is here representing the applicant. Ms. Libolt, welcome.

Ms. Libolt: Hello. Good evening.

Chairman Dupree: So we were waiting, before we approved it, there was a request I think a couple of meetings ago, to take care of some- we'll call them maintenance issues, repair issues, one of which is to paint the plywood that's in the front windows a darker color, so they'll blend in. And the other is to paint over or remove graffiti. I believe you're here to discuss that with us.

Ms. Libolt: I am. Thank you, Mr. Chairman. I actually did drive up there today, so I had a better understanding of what was going on up there. And I do apologize that we haven't done that yet. We had a bit of a delay, which many of you may have seen, with some safety issues with the brick? We happened to just be up on the roof of the building a few weeks ago and noticed that the brick was completely coming off the North side of the wall. So we quickly kind of assembled and have been focusing on that. I did drive up there today. I did take pictures of the building. I did receive confirmation from the property owner that they will do that this week. So we'll get the building, you know, the graffiti, we're just going to paint over the brick, which is really the color of the brick, which is Brown. The glass we'll paint dark gray. The South side of the building now has some graffiti on it as well, so we'll paint that the color of the building. I fear that they'll, you know, maybe kind of come back and we'll just have to deal with that as it comes, but we will go ahead and get that done this week.

Chairman Dupree: Thank you. Anyone have any questions or comments for Ms. Libolt?

Ms. Weiser: Thank you.

Chairman Dupree: I was going to say, can't someone say thank you-this is a nice thing to do.

Vice-Chair Dexter: Thank you.

Chairman Dupree: We appreciate it Kelly. I think it's going to make the site look a lot better. The site looks so good now with landscaping beginning to mature. The new buildings look terrific. I hope that we can resolve that last building, the old grand union at some point going forward too. I know we'll be discussing that tomorrow.

Ms. Libolt: I agree. And we are submitting, just on the other property to the South. We were before you before and we are submitting that Friday of this week, so we can resume that. And really the architecture, mimics the architecture here as well, so we're excited to present that to you, in I think two weeks or a month.

Chairman Dupree: In two weeks.

Ms. Libolt: Two weeks. It'll go in on Friday.

Chairman Dupree: Right? Thank you. There was no one signed up for public comment, correct Councilman Krupnick?

Councilman Krupnick: You are correct sir.

Chairman Dupree: And we've received no written comment whatsoever. So may I get a motion to adjourn this public hearing, also to October 7th?

MOTION: Ms. DiNapoli
SECOND: Mr. Oliver

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

Chairman Dupree: All in favor, please raise your hand and say, aye. Aye. Motion carries unanimously. Thank you, Kelly. Have a nice night. Thanks for coming in.

Ms. Libolt: Thank you. Have a good night. Bye-bye.

Ms. DiNapoli: Thank you.

OTHER BUSINESS:

JEFFREY GROVES ESTATES RE-SUBDIVISION

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

Location: 39-41 North Cross Road

Grid#s: upon request

Chairman Dupree: The next item on the agenda is a resolution applying what is in legal terms known as a tolling period. I've explained this before, but it never hurts in case there's someone new watching our meeting tonight. What that means is as the Governor has extended timeframes, that affect Planning Boards and other issues, we've elected to, instead of just automatically extending times, we've also been putting in tolling time. And in this case, we need to catch up with the tolling time so that Jeffrey Groves has time to satisfy the conditions of Site Plan. I'll note, just so everyone knows, I have signed the subdivision for the Final Plat, which has been filed. Which means that this resolution should probably say, to satisfy conditions of site plan, rather than and final plat approval, because that has been signed and approved. So all conditions were met. Anyone have any questions about this application? I believe this is going to be introduced by Mr. Oliver. Thank you.

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

Jeffrey Groves Estates

Date: September 16, 2020

Moved By: Mr. Oliver

Resolution: #2018-04L

Seconded By: Vice-Chair Dexter

WHEREAS, on November 20, 2019, the Planning Board granted the applicant, North Cross, LLC, amended site plan and subdivision approval for twelve residential townhouses in connection with its application for subdivision approval to re-subdivide nine existing individual residential lots and two open space lots into twelve residential townhouse lots and two open space lots on North Cross Road (the "Project"), tax grid nos. 133200-6167-18-356197, -361162, -398188, -383173, -380159, 385145, -397167, 403149, -414150, -425174, -328190, in the Neighborhood District (the "Site"); and

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

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

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

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

WHEREAS, by subsequent Executive Orders, most recently Executive Order 202.60 202.14, said tolling period was extended to October 4, 2020,

WHEREAS, on May 20, 2020, the Planning Board applied the tolling period through August 5, 2020.

NOW THEREFORE BE IT RESOLVED, that the Planning Board hereby applies the tolling period to the Project and extends the time to satisfy the conditions of site plan approval to and including December 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. Any further discussion? All in favor, please raise your hand and signify by saying aye. Aye. Motion carries unanimously again.

APPROVAL OF PLANNING BOARD MEETING MINUTES

Chairman Dupree: Now we have some housekeeping to go through. I just want to point out that there's a long series of minutes here to be approved. Everyone's had a chance to review them. I know because I get the stellar honor of getting them first after Cynthia's cleaned them up. I go through and do the final cleanup and then they're sent out to the Board Members. I want to point out that, we have had a couple of Board Members, particularly the sharp-eyed Ms. Wasser, who pointed out some things occasionally that I've missed too, which is really good. So I appreciate that everyone goes through it so carefully. The first set of - and by the way, just so everyone understands, Cynthia, our secretary does put the draft minutes up within the required timeframe after each, which is two weeks, but the draft minutes are really just actions taken, not the dialogue. So that would be who made a motion, who seconded, what the vote was. So those are all ways up. These are a way to amplify the record out. So the first sets of meetings, Ms. DiNapoli was absent, which would be June 3rd, June 17th, July 1st and July...

Vice-Chair Dexter: Chairman Dupree, the first group is everyone was present.

Chairman Dupree: Sorry, these are all Board Members present. I looked at the wrong sheet. These would be January 15th, February 5th, February 19th, April 1st, April 15th, May 6th, May 20th, August 5th and September 2nd.

MOTION: Vice-Chair Dexter

SECOND: Ms. Weiser

To approve the minutes of the following Planning Board Meetings:

(All Board Members were present).

**January 15, 2020
February 5, 2020
February 19, 2020
April 1, 2020
April 15, 2020
May 6, 2020
May 20, 2020
August 5, 2020
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: Any further discussion? All in favor raise your hand and say aye, please. Motion carries unanimously.

Chairman Dupree: Now this next set of minutes will be for when Ms. DiNapoli was absent. That is June 3rd, June 17th, July 1st and July 15th. Thank you, Vice-Chair Dexter for catching that. May I get a motion to approve them as submitted.

MOTION: Mr. Pickett

SECOND: Ms. Wasser

To approve the minutes of the following Planning Board Meetings:

(Diane DiNapoli was absent).

**June 3, 2020
June 17, 2020
July 1, 2020
July 15, 2020**

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

Aye Chairman Dupree

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

Chairman Dupree: Thank you. Any discussion? All in favor, please raise your hand and say aye. Aye. The motion carries unanimously.

Chairman Dupree: And the last set of minutes or the second to last set of minutes is March 4th, when Ms. Wasser was absent May I get a motion to approve those?

**MOTION: Ms. Weiser
SECOND: Ms. DiNapoli**

**To approve the minutes of the following Planning Board Meetings:
(Stephanie Wasser was absent).**

March 4, 2020

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

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

Chairman Dupree: Thank you. All in favor, please raise your hand and say aye, excepting Ms. Wasser who was absent. Aye. Motion carries.

Chairman Dupree: And the last set of minutes, August 19th, Mr. Oliver and Mr. Pickett were both absent. May I get a motion to approve those as presented?

**MOTION: Ms. DiNapoli
SECOND: Ms. Weiser**

**To approve the minutes of the following Planning Board Meetings:
(Chris Oliver & Brent Pickett were absent).**

August 19, 2020

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

VOICE VOTE

5-Aye 0-Absent 0-Abstain 0-Nay

Motion Carried

Chairman Dupree: All in favor, please raise your hand. Aye. Motion carries unanimously again with the two exceptions of the abstentions.

ADJOURNMENT

Chairman Dupree: There being no other business, I just wanted to say, that again, I'm missing seeing everybody. A friend of mine in the Governor's office told me that he thinks it likely that these will be extended through spring. Just letting everybody know. It may not happen, but even though we're making great improvements, both in in this County and across the state, there's still a lot of uncertainty and apparently the medical advice would be to maybe let this lengthen out and see what happens once the really cold weather comes in. And so it appears as though we'll still be meeting by Zoom for a while. But at any rate, we thankfully have the talent and resources of Councilman Neil Krupnick, Deputy Supervisor, Neil Krupnick, to help guide us through our meetings here. And I will say also that I have now had the chance to take a look at a couple of other town's meetings where the chair is trying to conduct the meeting via Zoom and run the meeting. And ooh wee! I'm so happy that's not us.

Vice-Chair Dexter: That's hard. Yeah. You're talented, Michael, but...

Chairman Dupree: Not that talented, I can tell you. I watch it and I cringe inside because I think, I know what's happening, they can't find it fast enough. They can't do this because you see the Chair like looking strangely at something. So this has been a very helpful time period for us Neil. Thank you so much.

Several Board Members: Thank you Neil!

Chairman Dupree: And can we get a motion to adjourn?

Ms. Axelson: Can I just say one thing?

Chairman Dupree: Yes, Liz?

Ms. Axelson: For Cynthia and the Board Members to go through those, you know, the Zoom transcripts, I know they're not that easy to go through.

Chairman Dupree: Actually, Cynthia has some fun with them. And so do I. The other day heydays, when something was in its heyday, was H-A-Y D-A-Y, not H-E-Y-D-A-Y one word and I thought, 'Yeah, that hay day that we had back when we were on the farm.' So Cynthia somehow picks up most of these, so it's fun for me to find the last lingering ones. And what was it, Warren Temple Smith? I can't remember now; it sometimes messes up names too at first. So at any rate, may I get a motion to adjourn?

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 7-Aye 0-Absent 0-Nay Motion Carried

Chairman Dupree: All in favor? Aye. Aye. Aye. Aye. Aye. Thank you. Goodnight. And we started two minutes late, so the official time for the meeting was 13 minutes in case someone was placing bets, Stephanie.

Ms. Wasser: I was pretty close at 14.

Chairman Dupree: Pretty close. Everyone have a nice night. See you later.

****Motion made at the October 7, 2020 Hyde Park Planning Board Meeting****

MOTION: Mr. Oliver
SECOND: Ms. Weiser

To approve the minutes of the September 16, 2020 Planning Board Meeting.

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

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