

MINUTES OF THE SPECIAL MEETING AND PUBLIC HEARING OF THE HYDE PARK TOWN BOARD, HELD AT TOWN HALL, 4383 ALBANY POST ROAD, HYDE PARK, NEW YORK 12538, ON MONDAY, SEPTEMBER 19, 2022 AT 6:00 PM.

PRESENT:

SUPERVISOR ALFRED TORREGGIANI  
COUNCILWOMAN NICOLE NOAKES  
COUNCILMAN JOHN LOMBARDI  
COUNCILMAN DONALD PRUSAKOWSKI  
ATTORNEY TO THE TOWN SARAH WILSON  
TOWN CLERK DONNA MCGROGAN

ABSENT:

COUNCILWOMAN LYNN RUGGIERO

Supervisor Torreggiani opened the meeting with the Pledge of Alliance to the flag.

PUBLIC COMMENT:

Carol Pickering from River Ridge would like to see the town move forward with grant opportunities for a sewer district and thinks the town is also in need of a reevaluation for tax payers, which hasn't been done in 30 years.

MOTION: Councilman Prusakowski  
SECOND: Councilwoman Noakes

To open the continuation of the public hearing regarding proposed Local Law No C of 2022 entitled "A Local Law amending the Town of Hyde Park town code to amend chapter 108, Zoning, article 23: Residential Care Facilities"

VOICE VOTE:

ALL IN FAVOR	4	
ALL OPPOSED	0	CARRIED

PUBLIC COMMENTS: NONE

MOTION: Councilwoman Noakes  
SECOND: Councilman Prusakowski

To close public hearing.

VOICE VOTE:

ALL IN FAVOR	4	
ALL OPPOSED	0	CARRIED

WORKSHOP:

David Jenkins, a grant writer for the Town of Hyde Park, discussed the Town's submission of the Revitalization Initiative -NY Forward Grant application.

**RESOLUTION 9:19 – 1 OF 2022**

**RESOLUTION AUTHORIZING THE TOWN OF HYDE PARK TOWN BOARD TO APPROVE THE APPLICATION SUBMISSION OF THE DOWNTOWN REVITALIZATION INITIATIVE-NY FORWARD GRANT APPLICATION**

**WHEREAS**, the Downtown Revitalization Initiative (“DRI”) and NY Forward Grant Program is a regional competition managed by the Department of State and NYS Mid-Hudson Regional Economic Development Council (“REDC”); and

**WHEREAS**, the goals of the DRI and NY Forward programs are to revitalize downtowns and reinvigorate local and regional economies; and

**WHEREAS**, the Town of Hyde Park seeks to apply for a \$4,500,000 grant through the NY Forward grant program to fund various projects within the Town; and

**WHEREAS**, if awarded said funding, there will be no “match in kind” for the Town; and

**WHEREAS**, the application for this grant must be submitted to the Mid-Hudson REDC by September 23, 2022.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town of Hyde Park Town Board does hereby authorize the submission of the DRI-NY Forward Grant Application; and

**BE IT FURTHER RESOLVED**, that the Town Board also hereby authorizes the Town Supervisor to execute any and all documents relating to the application of said grant.

MOTION: Councilwoman Noakes

SECOND: Councilman Lombardi

VOICE VOTE:

ALL IN FAVOR     4  
ALL OPPOSED    0                    CARRIED

**RESOLUTION 9:19 - 2 OF 2022**

**RESOLUTION AUTHORIZING THE TOWN OF HYDE PARK TOWN SUPERVISOR TO EXECUTE AN AMENDED MOU REGARDING THE HUDSON RIVER DRINKING WATER INTERMUNICIPAL COUNCIL (HUDSON 7)**

**WHEREAS**, the Hudson River Estuary is the primary drinking water supply for over 100,000 people in the City and Town of Poughkeepsie, Village and Town of Rhinebeck, Town of Hyde Park, Town of Lloyd, and Town of Esopus; and

**WHEREAS**, maintaining and enhancing water quality in the Hudson River and its tributaries is essential to the public health, economic well-being, environmental resources, and quality of life for these communities; and

**WHEREAS**, source water protection is a series of measures, defined and encouraged through federal and state programs, including the Safe Drinking Water Act amendments of 1996 and New York’s Drinking Water Source Protection Program, designed to take a watershed approach to protecting public drinking water supplies from contamination; and

**WHEREAS**, a review of source water protection-related programs by the Center for Watershed Protection and Riverkeeper in 2018 recommended a

number of actions, including the formation of an intermunicipal drinking water council and securing of funding for the council to hire support staff; and,

**WHEREAS**, a Memorandum of Understanding (“MOU”) agreement was entered into on 31st day of May 2018 by and between the seven municipalities to form the Hudson River Drinking Water Intermunicipal Council (the “Hudson 7”); and,

**WHEREAS**, the Town of Hyde Park has a voting member on the Hudson 7 Council; and

**WHEREAS**, Riverkeeper has provided an interim coordinator on a part-time basis for the Hudson 7 for the past five years with an end date of approximately January 1, 2023; and

**WHEREAS**, a subcommittee was formed by the Hudson 7 to define a coordinator position in 2020; and

**WHEREAS**, through its first five years, the Hudson 7 has addressed significant source water issues, and has been recognized by all levels of government and the business community as a respected stakeholder in issues affecting the quality of the Hudson River; and

**WHEREAS**, ongoing work by the Hudson 7 includes developing a first-ever source water protection plan via New York State’s Drinking Water Source Protection Program, negotiating protections for drinking water intakes during permitted construction and remediation activities, liaising with the U.S. Coast Guard and other agencies on industrial spill prevention and response, and other activities; and

**WHEREAS**, none of these activities are possible by any municipality or drinking water utility alone, and have only been possible through the collective effort of members of the Hudson 7 and its partners; and

**WHEREAS**, a key to ongoing progress on these and other issues requires dedicated support staff for the Hudson 7 Council; and

**WHEREAS**, Dutchess County (“DC”) and Ulster County (“UC”) have each committed \$25,000 annually for three years to support the hiring of a full-time coordinator for the Hudson 7; and

**WHEREAS**, DC’s funding is contingent on all Hudson 7 members contributing to support the cost of a coordinator position.; and,

**WHEREAS**, DC wants to be a voting member, as a party contributing monies and has also committed up to \$19,999 for legal services to support the hiring of a coordinator; and,

**WHEREAS**, the Town of Hyde Park’s commitment to hiring a coordinator is \$5,000 per year for an initial three years, with a total contribution of \$15,000 along with the commitments of the counties and other Hudson 7 municipalities; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Town of Hyde Park Town Board does hereby authorize the Town Supervisor to execute the revised Intermunicipal Agreement as presented.

MOTION: Councilman Lombardi

SECOND: Councilman Prusakowski

VOICE VOTE:

ALL IN FAVOR 4  
ALL OPPOSED 0 CARRIED

**RESOLUTION 9:19 - 3 OF 2022**

**RESOLUTION AUTHORIZING THE TOWN OF HYDE PARK TOWN BOARD TO ACCEPT THE 2022 DUTCHESS COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT AWARD FUNDING FOR THE TOWN OF HYDE PARK RECREATION'S BECK PARK IMPROVEMENT PROJECT**

**WHEREAS**, the Town of Hyde Park is part of the Dutchess County Community Development Consortium for Fiscal Year 2022; and

**WHEREAS**, the Town Board had deemed it beneficial to apply for CDBG funding for projects to benefit low to moderate income residents as stipulated in the grant requirements; and

**WHEREAS**, potential projects were discussed with the Town of Hyde Park Recreation Director, Town Officials, and other interested parties; and

**WHEREAS**, residents have asked for improvements to the parks located within the Town of Hyde Park and requested that park improvements provide options for individuals of all ages and abilities; and

**WHEREAS**, it was determined that improvements would be beneficial for the Town of Hyde Park Recreation's Beck Park by implementing improvements to the basketball court and the parking lot, relocating the playground, installing, and relocating new soccer goals; and

**WHEREAS**, the public was afforded an opportunity to comment on the proposed project at a Public Hearing on November 15<sup>th</sup>, 2021, and said public hearing was closed on the same date; and

**WHEREAS**, by a letter received from the County Executive dated August 23, 2022, Dutchess County award the Town grant funding in the amount of \$100,000.00 to use towards the Beck Park Improvement Project.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town of Hyde Park Town Board, is hereby authorized to accept the 2022 Community Development Block (CDBG) Grant Funding in the amount of \$100,000.00 for the Town of Hyde Park Recreation's Beck Park Improvement Project; and

**BE IT FURTHER RESOLVED**, that the Town of Hyde Park Town Supervisor is also hereby authorized to execute any and all documentation regarding said grant award.

MOTION: Councilman Prusakowski  
SECOND: Councilwoman Noakes

VOICE VOTE:

ALL IN FAVOR 4  
ALL OPPOSED 0 CARRIED

**RESOLUTION 9:19 - 4 OF 2022**

**RESOLUTION AMENDING RESOLUTION 9:12 – 13 OF 2022 AUTHORIZING THE TOWN OF HYDE PARK TOWN BOARD TO APPOINT KATHLEEN HOPPE AS A PART TIME SECRETARY FOR THE TOWN OF HYDE PARK ZONING BOARD OF APPEALS TO REFLECT AN ERROR IN THE NUMBER OF REQUIRED WORK HOURS FOR SAID POSITION**

**WHEREAS**, by Resolution 9:12 – 13 of 2022 Kathleen Hoppe was appointed as a part time secretary for the Town of Hyde Park Zoning Board of Appeals; and

**WHEREAS**, it stated that this position was for up to seventeen (17) hours per week; and

**WHEREAS**, it should have stated that said position was a part time position at 20 hours per week.

**NOW THEREFORE, BE IT RESOLVED**, that the Town of Hyde Park Town Board does hereby amend Resolution 9:12 – 13 of 2022 appointing Kathleen Hoppe as a part time secretary for the Town of Hyde Park Zoning Board of Appeals effective Wednesday, September 28, 2022, at a rate of \$20.76 per hour to reflect the change in the number of work hours required from seventeen (17) to twenty (20) hours per week; and

**BE IT FURTHER RESOLVED**, that said position is a Grade 4 in the aforementioned Collective Bargaining Agreement; and

**BE IT FURTHER RESOLVED**, that said appointment is still subject to a probationary period as set forth in the Civil Service Law of the State of New York and shall be subject to all of the Civil Service Law Rules and Regulations.

MOTION: Councilwoman Noakes  
SECOND: Councilman Lombardi

VOICE VOTE:

ALL IN FAVOR	4	
ALL OPPOSED	0	CARRIED

MOTION: Councilwoman Noakes  
SECOND: Councilman Prusakowski

To add resolutions 9:19 - 5 OF 2022 & 9:19 - 6 OF 2022 to the agenda

VOICE VOTE:

ALL IN FAVOR	4	
ALL OPPOSED	0	CARRIED

### **RESOLUTION 9:19 – 5 OF 2022**

#### **RESOLUTION AMENDING RESOLUTION 9:12 – 9 OF 2022 ADOPTING A SEQRA DETERMINATION OF NON-SIGNIFICANCE FOR PROPOSED LOCAL LAW NO. C OF 2022 ENTITLED “LOCAL LAW AMENDING THE TOWN OF HYDE PARK TOWN CODE TO AMEND CHAPTER 108, ZONING, ARTICLE 23: RESIDENTIAL CARE FACILITIES”**

**WHEREAS**, the Town of Hyde Park proposes to adopt Local Law No. C of 2022, entitled LOCAL LAW AMENDING THE TOWN OF HYDE PARK TOWN CODE TO AMEND CHAPTER 108, ZONING, ARTICLE 23: RESIDENTIAL CARE FACILITIES (the “Action”); and

**WHEREAS**, this determination of non-significance, i.e. negative declaration, is prepared in accordance with Article 8 of the New York State Environmental Quality Review Act (“SEQRA”) and its implementing regulations set forth in 6 NYCRR Part 617 (“Regulations”); and

**WHEREAS**, the Applicant submitted a Zone Petition, and has caused an Environmental Assessment Form to be prepared. As the Town Board is directly responsible for adopting the Zone Petition and is therefore the only involved

agency, it is the lead agency for the environmental review of the Action pursuant to SEQRA and its implementing Regulations; and

**WHEREAS**, the name and address of the lead agency is the Town of Hyde Park Town Board, 4383 Albany Post Road, Hyde Park, New York 12538 and the Responsible Officer is Alfred Torreggiani, Town of Hyde Park Town Supervisor, with a telephone number at (845) 229-5111; and

**WHEREAS**, the Town Board, as lead agency, classified this Action as a Type I Action pursuant to 6 NYCRR § 617.6 of the Regulations; and

**WHEREAS**, the Town Board has caused the preparation of a Full Environmental Assessment Form (“FEAF”) for review of the Action; and

**WHEREAS**, the Town Board reviewed the FEAF and all available information concerning the potential impacts of the proposed local law and found that the Town Board has sufficient information on which to base a determination of significance; and

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

**NOW, THEREFORE, BE IT RESOLVED**, that the Town of Hyde Park Town Board, acting as lead agency, has examined the impacts which may reasonably be anticipated to result from the Action, and hereby determines that the Action will not result in any significant adverse environmental impacts and that a Draft Environmental Impact Statement need not be prepared.

**BE IT FURTHER RESOLVED**, that the Town Board hereby issues this Negative Declaration and notice thereof pursuant to the requirements of SEQRA and its implementing Regulations; and

**BE IT FURTHER RESOLVED**, that the Town Board hereby authorizes the filing of this Negative Declaration and notice thereof pursuant to the requirements of SEQRA and 6 NYCRR § 617.12 of its implementing Regulations.

MOTION: Councilman Lombardi  
SECOND: Councilman Prusakowski

**ROLL CALL VOTE BY TOWN CLERK**

Councilwoman Noakes	Aye	
Councilwoman Ruggiero	Absent	
Councilman Lombardi	Aye	
Councilman Prusakowski	Aye	
Supervisor Torreggiani	Aye	CARRIED

**RESOLUTION 9:19 – 6 OF 2022**

**RESOLUTION ADOPTING LOCAL LAW NO. C OF 2022 ENTITLED: “A LOCAL LAW AMENDING THE TOWN OF HYDE PARK TOWN CODE TO AMEND CHAPTER 108, ZONING, ARTICLE 23: RESIDENTIAL CARE FACILITIES”**

**WHEREAS**, a local law was introduced to be known as Local Law No. C of 2022, entitled LOCAL LAW AMENDING THE TOWN OF HYDE PARK TOWN CODE TO AMEND CHAPTER 108, ZONING, ARTICLE 23: RESIDENTIAL CARE FACILITIES; and

**WHEREAS**, a public hearing in relation to said local law was held on September 12, 2022 and September 19, 2022; and

**WHEREAS**, notice of said public meeting was given pursuant to the terms and provisions of the Municipal Home Rule Law of the State of New York; and

**WHEREAS**, the Town Board classified this action as a Type I action for purposes of the State Environmental Quality Review Act (“SEQRA”) and acted as lead agency; and

**WHEREAS**, the Town Board adopted a SEQRA determination of non-significance, i.e., negative declaration, following review of the Action and all supporting information and documentation; and

**WHEREAS**, the Town Board considered the “Petition for Zoning Amendment” submitted by Hyde Park ALF Realty, LLC and all documents referenced therein related to the proposed legislative amendment and support of the local law; and

**WHEREAS**, the Dutchess County Department of Planning and Development reported that this was a matter of local concern; and

**WHEREAS**, pursuant to Town Code § 108-34.1(C), the Town of Hyde Park Planning Board provided a report dated September 7, 2022, which recommended that the Town Board adopt the local law as proposed; and

**WHEREAS**, the said local law has been on the desks of the members of the Town Board of the Town of Hyde Park for at least seven (7) days, exclusive of Sunday.

**NOW, THEREFORE, BE IT RESOLVED**, that the local law annexed hereto is hereby enacted.

**BE IT FURTHER RESOLVED**, that the Town Clerk shall file a certified original of this local law in the office of the Town Clerk and one (1) certified copy in the Office of the Secretary of State, State of New York, such certified copy to have attached thereto a certificate that it contains the correct text of the enactment of this local law.

MOTION: Councilman Prusakowski

SECOND: Councilwoman Noakes

ROLL CALL VOTE BY TOWN CLERK:

Councilwoman Noakes	Aye	
Councilwoman Ruggiero	Absent	
Councilman Lombardi	Aye	
Councilman Prusakowski	Aye	
Supervisor Torreggiani	Aye	CARRIED

**TOWN OF HYDE PARK**

**LOCAL LAW NO. 3 OF THE YEAR 2022**

**A LOCAL LAW AMENDING THE CODE OF THE TOWN OF  
HYDE PARK TO AMEND CHAPTER 108, ZONING,  
ARTICLE 23: RESIDENTIAL CARE FACILITIES**

**BE IT ENACTED** by the Town Board of the Town of Hyde Park as follows:

**SECTION 1. PURPOSE.**

The Town Board has determined that in order to encourage the construction of residential care facilities, it is necessary to provide the Planning Board with the authority, and in its discretion, to waive the bulk requirement applicable to the maximum scale for a residential care facility, provided specific standards are met as set forth below.

**SECTION 2. ZONING AMENDMENT.**

Chapter 108, Zoning, of the Code of the Town of Hyde Park, Article 23: Residential Care Facilities, is hereby amended to add the following new section:

**“108-23.6. Waiver.**

- A. The Planning Board, in its discretion, may waive the Scale requirements set forth in § 108-5-15, Schedule of Bulk Regulations, provided the applicant demonstrates to the Planning Board’s satisfaction that the following conditions are met:
  - (1) The waiver may be applied only to lots that are four (4) acres and larger;
  - (2) The proposed use will not have a significant negative visual impact on the neighborhood;
  - (3) The proposed use will not produce an undesirable change in the character of the neighborhood;
  - (4) The proposed use will not be a substantial detriment to nearby properties;
  - (5) The proposed use will not have a large, adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and
  - (6) The maximum number of Residential Care Facility resident rooms or units shall not exceed 200.
  
- B. Conditions. In issuing a waiver, the Planning Board shall impose conditions where necessary to ensure the above standards in Section 108-23.6.A are met, including but not limited to:
  - (1) increasing building setbacks to an adjoining lot;
  - (2) reducing the building height;
  - (3) imposing greater screening and buffering requirements; and
  - (4) such other conditions necessary to ensure the waiver does not cause an adverse impact on adjoining.”

**SECTION 3. SEVERABILITY.**

In the event that any section, paragraph, sentence, clause, or phrase of this local law is held invalid or unconstitutional by any court of competent jurisdiction, the invalid or unconstitutional portions of this local law shall be deemed severed from the article and shall in no way affect the validity of the rest of this law.

**SECTION 4. SUPERSESSION.**

This local law shall be adopted pursuant to the provisions of the New York State Municipal Home Rule Law and § 10 of the New York State Statute of Local Governments. It is the intent of the Town Board to supersede any provisions of the New York State Law to the extent that they may be inconsistent with the provisions of this local law.

**SECTION 5. EFFECTIVE DATE.**

This local law shall take effect immediately upon filing in the Office of the New York State Secretary of State in accordance with § 27 of the Municipal Home Rule Law.

MOTION: Councilwoman Noakes  
SECOND: Councilman Lombardi

To adjourn.



VOICE VOTE:

ALL IN FAVOR 4  
ALL OPPOSED 0 CARRIED

The meeting adjourned at 6:38pm.

Respectfully submitted,

A handwritten signature in black ink that reads "Donna McGrogan". The signature is written in a cursive style and is positioned above the printed name.

Donna McGrogan  
Town Clerk