



## Historic Town of Hyde Park

Planning Board  
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*“Working with you for a better Hyde Park”*

### **MINUTES OF THE OCTOBER 7, 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  
STEPHANIE WASSER (JOINED MEETING IN PROGRESS)  
ANN WEISER**

**MEMBERS ABSENT: BRENT PICKETT**

**OTHERS PRESENT: VICTORIA POLIDORO, PB CONSULTING ATTORNEY  
PETE SETARO, PB CONSULTING ENGINEER  
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 October 7th meeting of the Hyde Park Planning Board. Let me first note that this meeting is being conducted as authorized by Executive Order 202.68. The latest update of 202.1, which allows public meetings to be conducted virtually. Let me also now confirm that each Board Member is alone and not subject to any undue influence.

*The Chairman confirmed that each Board Member was alone:*

**Ms. Weiser:** I am alone

**Ms. Wasser:** Absent

**Mr. Pickett:** Absent

**Mr. Oliver:** I am alone

**Ms. DiNapoli:** I am alone

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

**Chairman Dupree:** Thank you. We have a quorum. Let me start by leading the Pledge of Allegiance.

*The Chairman lead the Pledge.*

## **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

*In Attendance via Zoom:*

*Fred Wells, KG & D Architects LLC*

**Chairman Dupree:** Thank you. The first item on the agenda is a continued public hearing for Dutchess County BOCES lot consolidation. As a reminder, this is taking four parcels and turning them into one so that they can avoid having to form a transportation corporation for sewer during their renovations. 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**

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

**VOICE VOTE**                    **5-Aye 2-Absent 0-Nay**                    **Motion Carried**

**Chairman Dupree:** All in favor please raise your hand and signify by saying aye. Aye. Any nays or abstentions? There being none, motion carries.

Mr. Wells is here. We got a final plat with all of the requests incorporated. Mr. Wells, do you want to add anything?

**Mr. Wells:** No. I just want to apologize for taking so long to get this to the point where it's at. I hope it's satisfactory in terms of addressing the concerns. And so here we are.

**Chairman Dupree:** It's much more legible to read now, so we understand it. And for the Board's edification, they're not going to file a consolidated deed, so this will be recorded. And so the dash lines you see are the ones that are going to be removed. So it becomes a single lot. Any comments from our consultants? Any questions from the Board or comments? There being none, may I get a motion to close the public hearing?

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

**To close the Public Hearing for Dutchess County BOCES Lot Consolidation with the exception of written comments for 10 days.**

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

**VOICE VOTE**                    **5-Aye 2-Absent 0-Nay**                    **Motion Carried**

**Chairman Dupree:** And let me note before I ask for a vote, that when we close these public hearings, because we're still doing this remotely, we allow 10 days for written comments, so we won't be taking action tonight. That'll be at the next meeting. All in favor of closing the public hearing please raise your hand and say, aye. Aye. Nays or abstentions? There being none the motion carries.

Mr. Wells, you don't need to attend the next meeting when we vote on the approval resolution, but you're certainly welcome to if you'd like to.

**Mr. Wells:** Okay. So I guess the next step is for me is to get the signatures all in place and then bring it to you for final signature.

**Chairman Dupree:** Correct.

**Mr. Wells:** And is that typically one Mylar or, or that's it, one Mylar for filing?

**Ms. Polidoro:** The next step is actually the Board needs to approve it at the next meeting. Vote to approve it. I'm not sure if the planner had a chance to look at the new submission, just to see if there were any other technical corrections needed. I might wait until we have full sign off to print the Mylars.

**Ms. Axelson:** Okay. I'm here. I haven't commented on the prior plat. I can take a quick look at it though. It's not a problem.

**Ms. Polidoro:** Oh, then maybe, has the Zoning Administrator reviewed the changes.

**Ms. Moss:** Yes, I have. And that's what I was saying, the changes look good.

**Ms. Polidoro:** Okay.

**Ms. Axelson:** So I don't think you need me to do any review. I don't believe.

**Ms. Polidoro:** I just didn't want him to print Mylars if there was the potential for an additional condition or change.

**Ms. Axelson:** Understood.

**Chairman Dupree:** And Mr. Wells, when we have a draft of the resolution, we'll forward that one to you. It's usually the day of the meeting.

**Mr. Wells:** Okay. All right. And then I'll coordinate, I believe we just need to file one with the Town and one with the County. Is that typically, or just file with the County?

**Ms. Moss:** You will submit the Mylar. The Mylar will be signed. You will take it and file it at the County and then you will need to bring the town a certain number of certified copies of the filed map.

**Mr. Wells:** Okay.

**Chairman Dupree:** And Cynthia can tell you what the number of copies we need are.

**Ms. Moss:** When we get a little closer, we can finalize that.

**Mr. Wells:** Yeah. Very good. Thank you much. Appreciate it.

**Chairman Dupree:** Thank you, Mr. Wells, take care. Stay safe.

**Mr. Wells:** Take care.

**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 a continued public hearing for Hyde Park Town Center North- buildings 3, 4 & 5. This is to extend the Site Plan deadlines to complete construction. And basically the building that's not been touched yet is known colloquially as Feeds Plus. May I get a motion to reopen the public hearing?

**MOTION: Vice-Chair Dexter**

**SECOND: Ms. DiNapoli**

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

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

**VOICE VOTE                      5-Aye 2-Absent 0-Nay                      Motion Carried**

**Chairman Dupree:** Thank you. All in favor, please raise your hand and say aye. Aye. Any nays or abstentions. Motion carries. Ms. Libolt do you want to give us an update?

**Ms. Libolt:** Good evening. I am apologetic this evening, but I do not have an update. It's my understanding that the contractor was supposed to go out and paint the plywood and the graffiti this week. I checked today; it didn't occur. I checked yesterday; it didn't occur. I am incredibly apologetic. I have no answers for you, except to say it wasn't done. I'm told it's supposed to get done tomorrow morning. I can only hope that that's the case. Short of that, I'm going to be out there painting it myself. I'm asking for an adjournment and I will go paint it myself...for two weeks, please.

**Chairman Dupree:** *Laughter.* Sorry, I like the idea of you out there in overalls with a roller in the paint.

**Ms. Libolt:** Yes. I just don't have any answers. I wish I did.

**Chairman Dupree:** Just so everyone knows, I spoke to Kelly earlier today about this. So I was aware. She did tell me that one of the site owners is livid that it hasn't been done yet. So we'll hope that that somehow translates into action. Anyone have any comments or questions for Kelly?

**Ms. DiNapoli:** Yes. Does she charge by the hour, her painting fee? *Laughter.*

**Ms. Libolt:** Would you like me to come do something at someone's house? I'm just beyond frustrated that it isn't done. And I can't even tell you how many times I've driven up there. So I'm as frustrated as you are.

**Chairman Dupree:** I had driven through myself, when Cynthia asked me on my way back from a meeting and saw them not done yet. So at any rate, may I get a motion to adjourn this then to October 21<sup>st</sup>?

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

**To adjourn the Public Hearing for Hyde Park Town Center North-Bldgs. 3, 4 & 5 to October 21, 2020.**

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

**VOICE VOTE                      5-Aye 2-Absent 0-Nay                      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 Kelly we'll see you in just a bit.

**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*  
*Kathy Pomponio, Verizon Wireless*  
*Bryan Sarchi, Airosmith Development*

**Chairman Dupree:** The next item on the agenda is Verizon Cell Tower, a proposed 179 foot tall tower to be located at 113 South Quaker. This application has been reviewed, reviewed, revised, changed, all for the better. And we also have conducted the Visual Resource Analysis. We've had CAC and DEC comments. All have been responded to by the applicant and we have a more recent, Clark Patterson Lee Memo dated October 2nd. It appears that we're ready tonight to take action on SEQR and accept the Part II and Part III of the Environmental Assessment Form. May I get a motion to reopen the public hearing?

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

**To re-open the Public Hearing for Verizon Cell tower 113 South Quaker Lane.**

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

**VOICE VOTE**                      **5-Aye 2-Absent 0-Nay**                      **Motion Carried**

**Chairman Dupree:** Thank you. All in favor please raise your hand and say aye. Aye. Mr. Sarchi and Mr. Olson are both here tonight representing. Do you want to make any comments, Brian or Scott?

**Mr. Sarchi:** No comments on my behalf. If there's any questions, Scott, Olson's also on the phone I see. I don't know if he has to be on unmuted to speak with him, our attorney representing this case.

**Chairman Dupree:** Scott, do you have any comments you'd like to add? Scott you're muted? If so, I will take that for a no. Comments first, Ms. Axelson. Liz you're muted.

**Ms. Axelson:** I did an updated review memorandum dated October 2nd. I'm just reiterating some of the visual observations, which I've tried to incorporate by reference into the SEQR documents that I prepared. There are a few more plan revisions to be done. I prepared full EAF Part II and III for the board's consideration and it seems like the project is ready for a SEQR Negative Declaration.

**Chairman Dupree:** Thank you. Victoria, any comments?

**Ms. Pomponio:** Hello, this is Kathy Pomponio. I'm also with Verizon. Can you hear me?

**Chairman Dupree:** Yes, we can.

**Ms. Pomponio:** So Scott Olson said you guys need to unmute him. He is on the call, but he's not able to speak.

**Councilman Krupnick:** I have no power to unmute him. I keep asking him to unmute.

**Ms. Pomponio:** What's that?

**Chairman Dupree:** Kathy, we don't have a way to...we're not muting him.

**Ms. Pomponio:** Oh, alright. He's texting me. I will let him know.

**Chairman Dupree:** He should be able to unmute himself.

**Ms. Pomponio:** All right, let me text him.

**Ms. Moss:** He has a different symbol.

**Ms. Axelson:** Did he not call in maybe?

**Ms. Pomponio:** Yeah, he said that he's in.

**Ms. Axelson:** Oh, I see him, sideways.

**Chairman Dupree:** Oh, there's Scott.

**Ms. Axelson:** Oh, he disappeared. I think he's driving.

**Ms. Polidoro:** So while we're waiting, I'll remind the Board that we received comments back from the DEC and from the CAC. And the applicant has responded to both sets of comments, either by incorporating changes onto the plan set or by just indicating that information has already been provided.

**Ms. Axelson:** Yeah and actually the items that would have been needed to reply, were already on the plans.

**Chairman Dupree:** For DEC especially. Thank you. Mr. Olson, are you still with us? Hmm. Okay. Let me go on to Ms. Moss. Comments Ms. Moss?

**Ms. Moss:** No, I have no comments. Thank you.

**Chairman Dupree:** Okie doke. Board Members? Let me start with Ms. Weiser, comments?

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

**Chairman Dupree:** Okay, Scott, we see you. We still can't hear you. It's showing not muted, but we're not hearing you. Do you think your mic is turned down? Is there a way you could turn up your mic on your cell phone? Nope. I can read your lips, but I can't hear you. Yes.

**Ms. Axelson:** There we go.

**Mr. Olson:** *Inaudible.*

**Ms. Polidoro:** Scott, we can't make out what you're saying.

**Chairman Dupree:** Yeah, it sounds as though you're at the bottom of a well with water on top of you. Your video is clear. I think you have an unstable internet connection because now you're frozen.

**Mr. Sarchi:** Chairman Dupree, I want to apologize. We've had storms in the Albany area that knocked out power in several different communities. So there are some connectivity issues.

**Chairman Dupree:** You don't need to apologize. We understand that. Don't worry.

**Mr. Sarchi:** Thank you.

**Chairman Dupree:** These meetings are always a little iffy, at any rate, because of internet failure. So let me continue on with the Board Members then. Ms. DiNapoli any comments?

**Ms. DiNapoli:** No, but his difficulty calling in is a good reason. Why, I guess we need another cell tower. *Laughter.*

**Chairman Dupree:** Ms. Dexter comments?

**Ms. Dexter:** Nope. No comments.

**Chairman Dupree:** Mr. Oliver comments?

**Mr. Oliver:** No comments, thank you.

**Chairman Dupree:** Okay. So it looks as though we're ready to proceed. I'm sorry that Scott's not even on anymore. Yes, Victoria?

**Ms. Polidoro:** Can we confirm that there are no members of the public that wish to speak on this application.

**Chairman Dupree:** I'm sorry. I had asked that already, but yes. Councilman Krupnick, can you confirm there's no one in the waiting room?

**Councilman Krupnick:** Yes, I can confirm there is no one in the waiting room.

**Chairman Dupree:** This is for all public hearings, correct?

**Councilman Krupnick:** Yes, that's correct.

**Chairman Dupree:** No one had signed up by yesterday which was our deadline.

**Councilman Krupnick:** No one signed up.

**Chairman Dupree:** Thank you. I should have mentioned that for the other public hearings too. Thank you, Victoria. Any other comments or questions? Okay. I believe Chris is going to introduce this resolution.

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

**Verizon Cell Tower – 113 S. Quaker Lane**

**Date: October 7, 2020**

**Moved By: Mr. Oliver**

**Resolution #: 2020-03A**

**Seconded By: Ms. DiNapoli**

WHEREAS, the applicant, Orange County-Poughkeepsie Limited Partnership, d/b/a Verizon Wireless, has submitted an application for site plan and special use permit approvals to construct an approximately 175 foot tall telecommunications tower on property located at 113 South Quaker Lane and 115 Melanie Way, identified as tax parcel nos. 6264-04-710450 and 6264-02-590558 (the “Property”), in the Greenbelt Zoning District (the “Project”); and

WHEREAS, the Project is depicted on plans entitled Verizon Wireless of the East Limited Partnership dba Verizon, Site Name Gretna, prepared by Steven Matthews, PE, Tectonic Engineering & Surveying Consultants, PC, dated November 20, 2019, last revised September 18, 2020, including the following: sheets T-1, S-1, AD-1, AD-1A, SB-1, C-1, C-2, C-3, C-4, C-5, C-6, C-7, C-8, C-9, C-10 and R-1 last revised September 18, 2020 (the “Site Plan Set”); and

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

WHEREAS, the applicant has submitted a Full Environmental Assessment Form (“EAF”) dated May 7, 2020, pursuant to the State Environmental Quality Review Act (“SEQRA”); and

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

WHEREAS, by letter dated October 6, 2020, the New York State Department of Environmental Conservation advised the Planning Board that the Property was within or near known occurrences of Blanding’s Turtle, a threatened species, and advised that measures will need to be implemented to avoid impacts; and

WHEREAS, the Project includes mitigation measures for encounters of Blanding’s turtles and limits tree clearing to avoid impacts to the Indiana and Northern Long-eared bat; and

WHEREAS, the applicant has provided a visual impact assessment to determine whether the Project, including the potential for future collocation, would result in a significant adverse impact; and



**Ms. Axelson:** We do need a minor correction to the Blanding's turtle protection plan sheet. But it's really clarification. I just wanted to put that on the record.

**Chairman Dupree:** So Brian, I hate to put you on the spot since Scott's not here, but would you guys prefer that we adjourn this out by two weeks or a month to give you time to do one more change to the plans based on the CPL memo or would you like them to be conditions of approval?

**Ms. Pomponio:** I'd like it to, for it to be conditioned approval.

**Chairman Dupree:** Okay. Thank you. May I get a motion to close the public hearing?

**MOTION: Ms. DiNapoli**

**SECOND: Mr. Oliver**

**To close the Public Hearing for Verizon Cell tower 113 South Quaker Lane with the exception of written comments for 10 days.**

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

**VOICE VOTE                      5-Aye 2-Absent 0-Nay                      Motion Carried**

**Chairman Dupree:** Thank you. And note, we will allow written comments to come in for 10 more days. All in favor please raise your hand and say aye. Any nays or abstentions? There being none, motion carries unanimously. So we'll put this on the agenda for the 21st to consider approval. Thank you. And Brian and Cathy, please let Scott know, that when we have a resolution ready, we'll send it over in advance. Of course. Good to work with you. Stay safe. I do want to point out for anybody who might be watching this on YouTube or wherever. I've said it before, so it's in the record, but it's interesting that we all, when we first heard about the size of this tower, were really concerned with the visual impacts. And by doing the thorough analysis, we did, it appears that there's very minimal negative impacts to it because of all the surrounding trees and the fact that we have interesting undulating topography here. So a couple spots that will see it really are on private property for the most part. So it was a great analysis to go through. It reminds me why we do this kind of work.

## **WORKSHOP:**

*Mr. Setaro and Ms. Wasser joined the meeting.*

### **HYDE PARK TOWN CENTER-PARK PLAZA**

#### **Site Plan Amendment Approval Exterior Modification (#2020-15)**

**Location: 4240-4260 Albany Post Road**

**Grid #: 6064-02-965956**

*In Attendance via Zoom:*

*Kelly Libolt, KARC, Planning Consultants Inc.*

**Chairman Dupree:** The next item on the agenda is a workshop. A continued application for Hyde Park Town Center Park Plaza. Ms. Libolt is back to represent the applicants. We have a new submission dated September 22nd that included some revisions based on comments that the board made at our last meeting, where we undertook this. Kelly, welcome back. Let me turn it over to you.

**Ms. Libolt:** Thank you, Mr. Chairman. We did provide you with a new submission as you had indicated dated September 22nd. We tried to address the comments that were raised at the last meeting by the Planning Board Members and the Planning Board Consultant, Clark Patterson Lee. We did provide you with a response letter. I'm trying to itemize each of those comments. Some of the highlights. I try to break this project really into two sections. So there's the architectural approval, maybe I'll start with that first. Thank you for putting that up. I wasn't sure if you wanted me to share my screen or not. On the architectural approval, I think some of the...

**Councilman Krupnick:** Kelly if you could share that might be better because there's a lot of slides and I might not know where you...

**Ms. Libolt:** Sure, I'll share my screen. Okay. Hold on one minute. I think with respect to the architectural, sorry, it doesn't want to move...This is the easier one to start with. Some of the changes that the board had discussed was removal of some of the... there were metal brackets next to the columns. So those were removed. There were some planters that were shown on the elevations, that were incorrect and so we corrected those. Most importantly, we amended the signage so that there was consistency on the North end where CVS would be located and on the South end where you would have that second parapet and architectural feature with the Westchester Medical main entrance as well. And then with all of the signs and the signage in between being the white letters on the dark background. There were a couple of smaller comments that the Board had raised and I just wanted to make sure that you understood that I had to address those. Sorry, I'm going to flip through really quick just to get to the front. It mostly had to do with Antonella's and there were some questions about the space and whether or not there was an actual extra unit that was located right here. It showed as two spaces and it was just incorrectly drawn. So we corrected that as well. So I think as far as the floor plans and the architecture, we addressed, hopefully all of the Board's comments. And if there's something that I missed, please let me know. And we'll address that. Should we stop there and just go over the architectural first Mr. Chairman? Or do you want me to keep going?

**Chairman Dupree:** No. So this is a good time, actually, this is a perfect time Ms. Libolt. So I discussed this today with Kelly, Liz Axelson, our Planning Consultant and Ms. Polidoro, and one of the things that, so to go back in history, a moment when this was first proposed about a year ago, and we saw just a sketch of what they wanted to do to reclad the building and renovate it, update it, et cetera. We made some comments, there was a back and forth, and then they applied. In the interim, Williams left and they had a tenant that wanted to move from one side to the other and you saw both the interiors. And that also has caused now, the applicants to change the circulation flow, et cetera. The applicants are very interested in trying to move forward with the recladding. In other words, changing the exterior as much as possible this year. But because I think we're going to have more issues involved and we have to circulate this also to Department of Health. It seems as though there's a way to break this into two phases, so that we could maybe approve phase one, which would just be the architectural exterior of the building and let that move forward while we continue moving forward with reviewing the second part of the application, which is the larger site plan. Victoria do you want to touch on that for a moment for me or with me?

**Ms. Polidoro:** I think you covered it very well. We would break up the site plan into two phases. One being the exterior alterations, which could be approved, expeditiously, if there were no further changes needed. And phase two would consist of the changes to traffic, landscaping, any of those items, the playground of which will take a little more discussion to make sure everything works properly.

**Chairman Dupree:** Does that seem acceptable to the Board? Everybody's nodding?

**Ms. Weiser:** Yes, okay.

**Chairman Dupree:** Because I think we're all, as residents, interested in seeing this Plaza with some updates that will probably make it easier to market as well. It's because of the season that we're going to be facing soon, it's going to be hard for them to actually start work on this unless we get them going quickly. Tad, I don't see you anymore, but I know you're here.

**Ms. Moss:** Yes, I was going to ask if the signage, including the front monument sign would be attached to this phase or the next phase.

**Chairman Dupree:** The front monument sign would probably be more of the site plan aspects of it, but we would be approving at least the locations of these signs, as well.

**Ms. Moss:** Okay.

**Chairman Dupree:** And personally, I think that the sign issue was solved, because now you have the balance for the other two, but we'll hear from my colleagues on that one. So Kelly, when we refer this tonight to Dutchess County Department of Planning, we will ask Heather to, I guess, make an expedited review of just the architecture. And then she can separate out her response for the rest later. But I'll talk to her about that.

**Ms. Libolt:** And just to add one final comment, if anyone's wondering why we're rushing so much. If you remember the material here is Hardie material and it's actually a cement fiber

material. It's very difficult to work with that as the temperatures drop and it gets colder. It's really temperature dependent. Although it can get installed in the winter, it gets very difficult and it doesn't handle well, so we're trying to get this started and bid, so we can get this work moving and commence again on the cladding and the exterior improvements.

**Chairman Dupree:** Thanks everyone. So Kelly, I'll send it back to you for the rest of the changes.

**Ms. Libolt:** Okay. So going back, sorry, let me just get back to the, I forget where the site plan is, I've got to go down, I apologize. I'm getting dizzy, watching it myself. So we did provide you with an amended site plan. And one of the items that was requested was to do a separate landscaping plan, which we pulled out. It's such a large site, so it is very difficult to try to get all of this on one page, but I'll try to sum up, what I think were the major comments that were raised. One had to do with the circulation and one of the biggest changes that we made was to actually modify the circulation. If you remember, vehicles used to come in and they would start at the South and go to the North in a circular pattern as I'm showing on the plan. And it was actually, I think several years ago, when one of the Planning Board Members had mentioned, why the traffic circulation wasn't going the other direction, which would be clockwise and I remember at the time thinking that would be really brilliant because then the doors to the buses and the vehicles and so forth would line up with, you know, where the children are getting out of the car. So we actually put some thought to that to see if we thought that that might be a more beneficial circulation and we did in fact, make that change now that we have pick up and drop offs on the North side and the South side. We worked pretty closely with Joe Berger's office and came up with a plan where vehicles can actually drop off the South end, and this is a two-way circulation pattern that will allow vehicles to come in and actually make deliveries in the back and turn around and come back out again. There are no do not enter signs here to prohibit people from going in that counterclockwise direction, like they used to go. And then this circulation again, which is now clockwise will allow the children, if they're getting out of a car or getting out of a bus to get immediately dropped off in front of the door in the location where they're getting picked up or dropped off. If we do have an excess amount of vehicles that would be dropping off on the Northern section, we did create an alternative pick up-drop off turnaround area here. Where if we do get an excess amount of vehicles that are having a challenging time turning around, that we have the drop off. I think one of the questions that Liz had asked is how do people know to go to that drop off? And it's been my experience, I've only seen this a few times, I know maybe you have seen it more frequently, but when there is a pickup drop off, there's always a representative out by the vehicle. So directing parents and directing people who are picking up and dropping off, to try to help and make this a little bit more seamless. There was a lot of, I don't want to say *de minimus*, but smaller comments that were added and we noted those in our response letter to try to clean this up. You know, the propane tank needs to be removed. The shed is going to be a vacant structure. More importantly, I think some of the items that were of concern had to do with the proposed playground area, which I did go back and walk through this area. At the last Planning Board meeting, we talked about maybe putting the playground area on these Southern parking spaces and just when we were out there, it didn't feel right. It felt like it was in the middle of the parking lot, walking back here, although it's difficult to do because the weeds are so high, it felt as if it would be more conducive area. It was sort of shielded from the building and some of the landscaping that was there. So we left the proposed playground in that area. It's a chain link fence, we noted that. We don't

necessarily know what the material is going to be on the surface. I mean, we had proposed a playground, like a rubber tire mulch, in this area on the plan, if the user wants to change it, we can change it. The other playground will remain, as well.

The other kind of major discussion had to do with landscaping. And so, we tried to clean it up and create a separate landscaping sheet. Some of the major highlights are, when you walk out of the Plaza and you get off of the sidewalk and you walk into the parking lot here, there were plantings that were previously here that were removed when they redid the landscaping and so we're going to place boxwoods back in that area. It'll create a nice little hedge there and some greenery to try to break up the building. We did more clearly articulate the landscaping, the American Horn Beam that are going to get planted up along, I'll call it like the back of McDonald's, so it's the connector drive that brings you up to the other Plaza in that area. There was a discussion of trying to add some plantings in the striped areas to try to break up the parking lot. And so I had focused, Michelle and I were working pretty closely on this area and trying to just take out the striping, essentially really just cut it out. So cut it out and almost make like a rain garden and put some plantings in there. And it seemed like a great idea until we realized that this is the area for the septic field. And, um, even if we were to put shrubs or some other material in there, it was too close to the septic field and it was more of a stormwater-rainwater issue than the plants disturbing the septic fields. And so we weren't able to put anything in that particular area.

**Chairman Dupree:** If I could interject really quickly, when I spoke to Kelly earlier, when Tad and I went back to the 2008 plans, with the SDS that was labeled back then is actually to the left, not to the right. It doesn't go to where the striped, it doesn't go that far. It's actually all to the left of that drive aisle. I asked Kelly to clarify so I can make sure we know where it is. It also showed that there were seepage pits, I guess I'll call it the third bit of parking, the parking aisles that are closest or the parking stalls that are closest to, would that be Mizu Sushi maybe, or the Tax...over to the right of the main building. Anyway, there's some seepage pits shown way up at the tip, not there Kelly, it's actually shown...if you go to the East, keep going now to the South, and now South, now more East. right in through there! There, that's where it's shown as seepage pits back in a 2008 plan. I also note that back in 2008 we had Mr. Berger, or Mr. Berger's office, do a parking calculation because we'd asked for that here. and they supplied it. The numbers back in 2008, versus the numbers now, don't jive. Part of that seemed to be, when I looked at Antonella's...our parking guidelines say that it's so many spaces for square footage of patron use, but they used the entire square footage of the restaurant, rather than just the area for patrons. So that may explain some discrepancies. So I've also asked Kelly to have Joe and Michelle go back and take a look at that again, because it should more or less, except for the change in uses, it should be pretty close to what we had in 2008, because a lot of things were just office and retail.

**Ms. Libolt:** We'll check those. So, I mean, I think that we do sort of value landscaping. I think that's evident from the Plaza to the North. I think the plaza to the North looks amazing. Michelle is actually texting me because she's online and she's listening to help me with this, but it's actually the expansion areas that are the problem for the septic fields. And perhaps if we illustrate that on the plan for you, that may make it a bit clearer. You know, we do love landscaping and you know, Michael, you know the Nicks and the Nicks, they love it. I just think that this is an area that is extremely compromised and it's going to be very challenging. We think we're doing an incredible financial investment into the

architecture of the building. And, you know, we'd love to add more. I think it's going to be challenging to do this. We do know that the Town is working on improvements along the sidewalk, and there's going to be some new landscaping down at the bottom as well. So to the extent that we can enhance that after the count is completed with that work? We certainly would. But I think with respect to landscaping, unless someone has some more creative ideas, I don't see where we can add anything at this point.

**Chairman Dupree:** It's just, like I said, we would need to see that you can't do it instead of just being told.

**Ms. Libolt:** Well, and we'll show you. Sure. I do understand that.

**Ms. Axelson:** I think that's what we need right now is that we don't have, I'm not sure if looking at the plans that were signed in 2014, if those existing conditions are accurate, based on what Michael and Tad were describing. So it would be helpful to know. You know, where are these things maybe on an existing conditions plan sheet.

**Ms. Libolt:** Agree. Yes.

**Ms. Axelson:** See if there's a way to find a couple of spots.

**Ms. Libolt:** Sure. Yep. And I think I, and I understand that and we'll show it to. We're just trying to put all of our investment really into the architecture. I think we might've lost sight of some of the improvements that we're actually making to the architecture and not just recladding the building. So we're adding those two big, boy, I'm going to use the wrong words, but parapets, there's architectural features that are going to get added to the building. So there's quite a bit of structural and roofline improvements that we're doing. I don't know if you remember, but there was one Planning Board Member that really helped us to design the top, the peak. So we're hoping to really focus our energy there, but you know, willing to certainly look at it and we'll show you where those septic fields are.

**Chairman Dupree:** I should also have added that Board Member Stephanie Wasser and our Engineering Consultant, Mr. Setaro have both joined us.

**Ms. Libolt:** Okay, great. Thank you. The other significant submission was...I'm glad that Tad is on the phone...Happens to do with the monument sign and here is the monument sign. So at the last meeting, it was brought to our attention that the sign was actually too tall and so Grace from Gloede Signs worked very closely with Tad on better understanding the Code and some of the dimensional methods for calculating the square footage and we modified the sign to come up with this sign. Essentially what happened is the signage for each of the tenants got smaller, so that the sign would meet the Code for the proper height and dimensions. There was also one tenant, I don't remember which one it was, but there was one lone tenant that was red before and so it really stuck out. So we modified those so they're all black and then the two tenants on the top are red. And this is consistent with the signage that was installed up on what we would call like the Northern part of the site where McDonald's is, so it's very similar to that sign, to the monument sign.

**Chairman Dupree:** And before we move on from the sign, I take it that the existing landscaping will remain there as it is. Correct?

**Ms. Libolt:** I wish I could say no, but I think it's staying. I'm not fond of these grasses. I don't know what those are. You may know what those are. They always look very unorderedly to me, but they are staying.

**Chairman Dupree:** It's not my favorite either nor Tad's, but it is what's there. The Blue Gamma Grass is actually not in this bed. So I just want to make sure that we know that there's going to be landscaping around the sign. It's going to be what's there will just stay.

**Ms. Libolt:** Yes. Correct.

**Chairman Dupree:** Thank you. Thank you. Anything else you want to add Kelly?

**Ms. Libolt:** I think that is it unless anyone has any questions.

**Chairman Dupree:** We will start and then you'll hear from the consultants and the Board, but I did want to say that I thought, it is moving forward nicely. And I think I can speak for the entire Board by saying, we certainly appreciate the investment that the owners are making, particularly at this time, to upgrade the entire site. Again, with the landscaping, it is in our Code that we're supposed to have, you know, landscaped areas within certain sections of parking. So it's just a way to justify why we wouldn't enforce that as we did at the adjacent plaza. So we start with Ms. Axelson, comments?

**Ms. Axelson:** Sure. Yeah, I definitely can see, you know, what the applicants are trying to do here and in particular, Michael and I had a discussion today about the fact that the childcare centers on either end and other health related facilities will kind of act as anchors, which should be good for the Plaza overall and that whole business area.

So I know that the traffic flow was described in the response letter, I guess what we're looking for in my first three comments in my memorandum of October 6, 2020 is something a little bit descriptive on the plans, so it's clear. And the other thing is, Michael and I had a discussion today and to me, it feels like it would make sense for anybody that's traveling through the site, whether it be buses, individual vehicles with children or whatever and delivery trucks to have a traffic flow that works for all. And it looks like you're trying to accomplish that based on what's described, but it wasn't really clear on the plan. So we can talk about that a little bit more. Let's see, I already mentioned that it would probably help to see the underground improvements in relation to the landscaping that's desired. That's in my comment #5. And then when I was trying to compare your zoning table and your sign tables and parking tables, I came up with a couple of different issues. So I just made a few comments on that figuring when you take this back to the drawing table and start working through it, it'll all get ironed out. And I guess I understand the concern about parking on the site, but you do have a lot of users that, for example, the childcare centers on either end, that aren't going to necessarily be using the parking all day, cause there's a pickup and drop off pattern. And I really think a little bit of greenery on this site would help. I think Pete's going to touch on stormwater management facilities and then, you know, there's some brushing up to do in the rest of the plans. I don't know if the Board would like us to have offline consultation to go over some of these things. Kelly, I'll leave that up to the Board and to you, to see what's desired.

**Chairman Dupree:** If Kelly and you think it's valuable to speak directly, please go right ahead.

**Ms. Libolt:** Sure, I think it's a good idea. Thank you.

**Chairman Dupree:** Mr. Setaro, welcome back. We haven't seen you in quite some time.

**Mr. Setaro:** Hi. How are you? Can you hear me?

**Chairman Dupree:** Yep.

**Mr. Setaro:** Okay. I really don't have any comments on any, you know, drainage. I haven't been too involved with this application so far because it's been mostly facade stuff. The one thing that I do want to say though about the applicants that kind of like relates to this project is, that I want to make sure the Planning Board knows that both Nick and Nicholas have been very cooperative with the Town in terms of granting the Town the easements that we need for the next phase of our sidewalk projects. Them owning both this plaza, the McDonald's area and then also the other plaza. They've had to grant us three easements and they've been very cooperative throughout that. Kelly certainly helped a lot with the McDonald's one, which was not easy. So I just want to make sure that we know that.

**Chairman Dupree:** Oh, you got the McDonald's easement?

**Mr. Setaro:** I believe we're all set.

**Ms. Libolt:** Yes, it was hand delivered yesterday to Aileen's office and then the attorney and Warren Replansky should have all of the temporary easements. So it was a little bit more of an effort than we thought, but it was hand delivered yesterday. All of the paperwork was delivered yesterday.

**Ms. Axelson:** If I could just go back for a moment while we have Tad and Pete here. One of the responses Kelly that you provided, there was a question about stormwater management facilities that had been approved in 2014 and hadn't been constructed and the response was, the roof leaders are going into a planter along the front of the store. So this is a nod to Pete and Tad to look at that and see if that issue is sufficiently addressed.

**Ms. Libolt:** Correct. And I could have Michelle call Pete or Tad, or either and give them whatever documentation they need. But because those roof leaders are now being tied into the landscaping in the front, that same calculation was offsetting the calculation in the back. And it seemed like a better approach anyway, to put those roof leaders into that landscaping area. But whatever Pete and Tad need, we can get to you.

**Mr. Setaro:** Yeah. We'll take care of that. I don't remember exactly. There was supposed to be some kind of a stormwater practice in the back, you know, we'll catch up on that.

**Ms. Libolt:** Okay, good.

**Mr. Setaro:** Fine. So that's it, Michael, I don't really have too many comments on this one.

**Chairman Dupree:** Thank you. Ms. Moss?

**Ms. Moss:** I want to go back to the freestanding sign and we agreed, or I suggested that the measurement for height, maximum height be taken from the central point of the signs since it's on a slope. And it's my understanding that some of those rocks need to be removed from the rock wall so that the sign can be lowered and will meet height.

**Chairman Dupree:** Okay. The rock wall will actually shrink is what you're saying. It'll be smaller.

**Ms. Moss:** A little bit. Yes.

**Chairman Dupree:** That's okay. Because you need to have the proper height. They don't want to go for a variance and the way you're measuring this is the same way we measure grade for buildings, et cetera. That's how we measure everything, is the center going forward. So okie doke. Thank you for pointing that out. Any other comments, Tad?

**Ms. Moss:** No, nothing that can't be dealt with offline.

**Chairman Dupree:** Okay. And one suggestion I'm going to make is that we set a public hearing on phase one only for two weeks from now, and then do a separate public hearing for the overall site plan. I just was chatting, I guess, is what it's called with Victoria and that seems to be something we can do legally. So we could have just comments on the architectural improvements, including roof line, et cetera and then ask for more comments once we're further along with the process with its overall site plan.

**Ms. Witman:** Michael.

**Chairman Dupree:** Yes.

**Ms. Witman:** It's a little hard for me to have all of that done and noticed for two weeks from now, because of the...there's a little bit time needed because of Covid.

**Ms. Polidoro:** Cynthia, if you can get the notice together, this is a situation because of COVID and everything, we could ask Kelly Libolt to take care of sending the notices out and getting it to paper and giving us an affidavit.

**Ms. Libolt:** We're willing to do that.

**Chairman Dupree:** Does that sound like something you can do Cynthia?

**Ms. Polidoro:** If you're okay with it.

**Ms. Witman:** I'll do my best to get it out before the end of the week.

**Ms. Polidoro:** I mean, if you can't, I can write the notice.

**Ms. Witman:** It just depends on whether we're allowing live participation or not, during the meeting, or are we leaving the notices the way we've been writing them?

**Chairman Dupree:** We'd still have to allow 10 days to receive written comment after we closed the public hearing, in other words. To be discussed.

**Ms. Witman:** Okay.

**Chairman Dupree:** Councilman Krupnick, perhaps on just this one application. I was actually going to go to you next Victoria, for comments.

**Ms. Polidoro:** I was just confirming that Kelly is agreeing, Ms. Libolt is agreeing to send out the notices in this one particular case, as an accommodation. It would be good for the record, if you could just give us something in writing saying that you are proposing to phase the application, phase one being the exterior alterations, phase two being the site improvements. And then I'm sure that will be noted on future plan sets.

**Ms. Libolt:** Very well.

**Ms. Polidoro:** And tonight there is a resolution prepared to refer the whole project over to County Planning, so we can start getting their comments.

**Chairman Dupree:** Thank you. Let me start with Board Members. Ms. Weiser, comments?

**Ms. Weiser:** Just that I think the building's looking great. I do have a quick question about the around the area around the Southern playground. How much traffic do you anticipate going through there? What is the frequency of traffic? Do you think that's going to be going past that crosswalk?

**Ms. Libolt:** I'm sorry. I just had an interruption at the house. I am so sorry. Could you just repeat the question? I apologize.

**Ms. Weiser:** The Southern playground, how much traffic do you anticipate going past it? Like, you know, past that crosswalk and what is the frequency of the traffic you expect?

**Ms. Libolt:** Okay. That's a very good question. So I actually received some information from Westchester Medical about their drop off and pick up. So I'm just going to read to you, what they've said to me and I can forward it. Typically they have buses which are either small buses or vans that arrive 8:30 AM, Monday through Friday and then again at 1:00 PM. They have three dismissal times, Monday through Friday at 11, 2 and 3:30. Things could certainly change a bit with COVID, but this is what we've always done in the past. They do have a significant amount of parents that also drive now with COVID. So he did not give me volume and number, but at least I know that their drop off in their pickup are broken up into three separate times throughout the day.

**Ms. Weiser:** It does seem like it could be a lot when you've got children going through that crosswalk. So I was just curious if it was too much.

**Ms. Libolt:**

It's actually, I understand this group that's moving here is the same group that was in the North. And so they had the crosswalk, across to their playground as well. And I understand

that when they have, children in that crosswalk, they have people with signs, that are stopping the traffic and directing the traffic, if there is traffic.

**Ms. Weiser:** Thank you.

**Chairman Dupree:** That was a good question, Ann. Ms. Di Napoli, questions, comments?

**Ms. DiNapoli:** Yes. Thank you for the architectural plans, as always, they are lovely. I want to just mention in terms of what Liz has mentioned about transportation flow, the traffic flow, that really would be helpful if we can see it on the plan. I know in the agenda meeting we had talked about if need be, if we as a Planning Board get a traffic study to help ensure the safety. Particularly, obviously for the children. With regards to the septic plans, do the Nicks have access to the original septic plans?

**Ms. Libolt:** Joe Berger has been the engineer of record for this project or this property really from the beginning, from the inception. So he has all of the documentation. So we're very fortunate that they have all of the data and we'll put together an existing condition sheet for you so you can see that.

**Ms. DiNapoli:** Fabulous. I've been spending a long time thinking, well, if it's here, we can do that and there. And with clear direction of exactly where the septic system is, I'm hoping it will allow for more landscaping. I think that will come in time.

**Ms. Libolt:** Yeah. When we show you the plan, I think you're going to go, Yep and I wish I had done that for this submission, so I apologize. And I think it will be very clear to everyone. Sometimes a picture's worth a thousand words. With respect, if I could just ask a quick question with respect to the traffic, and you had mentioned possibly a traffic study, we're trying to get mid-Hudson moving from...

**Chairman Dupree:** Wait, she did not mean traffic study in the conventional sense.

**Ms. DiNapoli:** No, no, no, no, no, no, no.

**Ms. Libolt:** Okay. Cause we're trying to get...

**Chairman Dupree:** I was going to clarify that. What we want, for example, when you show on the site plan, when you just have the arrows, we really need to see a turning radius for whatever the delivery trucks and the buses are.

**Ms. Libolt:** Understood. Understood.

**Chairman Dupree:** Because we want to make sure we have a better, a more clear idea and that's what Liz was also referring to.

**Ms. Libolt:** Understood, an illustration.

**Chairman Dupree:** Right, it's just drawn, but what's the largest truck you have going back there to deliver, say to Earth Goods or whatever. We want to make sure that there's plenty of room back there for that. That's, that's it? I think if you could also, given Ann's

comments, I think if you could get Westchester Medical to give a better idea of that. I believe that when we reviewed this before, I remember there being the three separate times for pickup, because some people drop their kids off for a long period, some for short, some for just the middle, like one or two classes. So I remember there were the three separate times, but they actually gave us an estimate of how many there were, about, in it. We don't need to, you know, nail your feet to the ground on.

**Ms. Libolt:** Yeah. Yeah. I think with COVID, these poor families, everything is changing, but we'll try to get the peak. So at least you have that.

**Ms. DiNapoli:** I'm sorry if I made you have your heart come up.

**Ms. Libolt:** Well, you know, just like, I don't mean to, you know, usually when I ask it's something serious, but they are trying to get moved into this new location. Because of Covid, childcare is such an important part. I'm sure everyone knows who has kids. We're all kind of pulling our hair out as far as what, you know, what we're doing. And so they are trying to get into this space as soon as they can. You know, so we're trying to advance this. The Town has been very gracious in allowing the building inspector to start reviewing the plans for this work while we're before you, because we're really trying to get both of these projects started so we can get them moved over into the new space.

**Chairman Dupree:** Believe it or not. Even those of us who are barren and childless, do know the issues with childcare right now. I can assure you I'm in a lot of Zoom meetings where all of a sudden someone who is probably not supposed to be there will just come in and start asking for things, who's like four or five. These are grandchildren for the most part. "I'm sorry, I'm sorry." I'm like it's okay. So Diane, you want to add something else before I turn it over to Liz?

**Ms. DiNapoli:** I want to say thanks.

**Ms. Axelson:** Okay. One quick point. I think the concept was to get a plan sheet that's like a traffic flow plan. I think that's maybe what Diane means by study. And then we have Jennifer Michniewicz, who is a professional traffic operator engineer and she'll just take a look at that. That was the concept, but I don't want her to look at anything until we have that from you guys.

**Ms. Libolt:** Understood.

**Chairman Dupree:** Mr. Oliver, comments or questions?

**Mr. Oliver:** Really, I would just like to thank the owners, Nick and Nicholas for, you know, despite the ongoing pandemic to continue to invest in our Town and try to help their applicants better serve our community. So thank you very much.

**Ms. Libolt:** We'll express that to them.

**Vice-Chair Dexter:** I would also echo that I'm really grateful that they're investing in our Town, at a time when other places can barely stay afloat. A big, thank you to them. I do appreciate the streamlined appearance now, taking just the slight tweaks that you did to

the architecture, you know, I think left a much cleaner look. So I do appreciate that. I'm excited that we might be able to see this happen sooner rather than later. So, yay.

And I guess I would just echo, just wanting to see better the traffic flow. I think I like the ideas that I'm hearing here. I don't think we need to do anything more. Michael, I do remember when we, lo those many years ago, that we did kind of get a count of cars and it really didn't rise to the level of being like, Oh, that's a lot. It didn't seem to be anything that the site couldn't handle, safely. And then my only other comment is, in my head, I can kind of remember seeing the drawing of the septic and the pits and everything and I do understand that, so I'm going to guess the answer is no, but I'm going to just ask this then. Is it possible in the warmer months that, on those like lower, you know, the stripes that come down and you were looking at those two end caps to the parking? I'm wondering if we could put something temporary there, like those cement planters and then in the cold weather, they would just go away, because I don't think they do well with snow and plowing. It could be something that just sits on top of the concrete there and could have those bulbs that come up and they're like five feet high with the big red flowers? And with the big red flowers, I mean, you can just do something very summery.

**Chairman Dupree:** Canna Lilies.

**Vice-Chair Dexter:** Canna Lilies and whatever they are. They're beautiful and I know they're bulbs and they're just, anyway, I don't know if we could do it because it's temporary and I think the site plan requires...I'm not sure how we would handle that.

**Ms. Libolt:** Yeah.

**Chairman Dupree:** I'm just wondering how you would lift a concrete planter and relocate it. That that might be the bigger issue, because they're heavy.

**Mr. Setaro:** A big, strong man.

**Vice-Chair Dexter:** Pete's going to offer to do that. No, I think you can do it with, I mean, if you get the right kind of planters, you can just use a forklift.

**Ms. Libolt:** Understood, but then we have to bring equipment in. I'm not sure about the temporary structure, I can talk to Pete and Liz offline. I think it might be difficult if someone hits it, because usually when you have a planter island, you have either a curb or someone protecting the vehicle from...

**Chairman Dupree:** You have an edge over it, right?

**Ms. Libolt:** Yeah. The curb usually stops the car from hitting it. I'm hoping that the box woods are really going to make a difference. I know it sounds like they're insignificant, but they're not. I just, I love boxwoods. And I think getting that hedge broken up in the front, you know, where you go from the pavement into the building is going to help immensely. So I really hope that's going to make a difference.

**Vice-Chair Dexter:** Yeah, there used to be one, pretty much along the entire frontage.

**Ms. Libolt:** Correct. I know. I grew up here. I remember.

**Chairman Dupree:** But it was hemlock. It was Yew and they were large, they were tall, they were blocking the buildings, but more importantly, they also were not in the best of shape anymore. To be honest with you. Ms. Wasser comments?

**Ms. Wasser:** Well, I've been listening. I'm sorry to join you late, but I agree with all the comments I've heard from my colleagues, every single one of them that I've been listening to. I don't have to repeat them.

**Chairman Dupree:** Thank you. I can then summarize. Well, actually my only other comment was, actually I have two comments. One, can you call the site plan back up Kelly, by chance, what you're proposing the most recent screen shot we had. Oops, sorry. We have to go through the vertiginous... yeah, right there. So number one, does the round, sort of ping pong, paddle turnaround up there? What is the size of that? I didn't have a chance to scale it.

**Ms. Libolt:** It had a 35-foot radius, so it was 70 feet. So

**Chairman Dupree:** So isn't that kind of big for just vehicles, for passenger cars or is that designed for buses?

**Ms. Libolt:** I think it's just supposed to be for passenger cars. I think that's what Michelle had intended.

**Chairman Dupree:** And that it needs to be that big for a turnaround for passenger cars? It looks huge compared to the building.

**Ms. Libolt:** Yeah. Well that's a good point. And I'll check it.

**Chairman Dupree:** Okay. The second thing, the other comment I have is, I think I told you before, but if you're standing at the Southwest corner of building where we're Mid-Hudson Regional and now go and you look North, you can see all the way to Pine Woods without ever seeing a tree. I've been wondering if it's possible to plant a tree in what I call, that's it right there, the car seat-looking thing. Yes. Is it possible? I don't know why we didn't do that when McDonald's was before us. There may be a reason why you can't.

**Ms. Libolt:** I'll ask Michelle. I have to tell you that Michelle and I did this on the screen. I'm like, okay, how about here? And we circled everyone to try to come up with a reason why, but this one, we didn't look at. Probably because it was so far away and I didn't think that that was one of the issues. I knew there was a viewshed issue, but let me ask her and see if there's anything in there or not in there and see if we can put something, I'll just make a note of it.

**Chairman Dupree:** Great. Thank you. Because that would solve it. Then the last thing is I believe that there might be some signs for businesses that are long since gone and per our Code, I believe those are supposed to be removed. There may be reasons why you keep them up. I don't know, but I believe there might be some wall signs that are up on businesses, particularly on the lower side of Children's Medical Group.

Otherwise to sum, we'll get a motion to set a public hearing shortly, but we're going to do this in two phases. As Victoria said, you'll need to give us a little bit of a narrative on that. And we're prepared also by resolution to refer this to County Planning and to the Dutchess County Department of Community and Behavioral Health. The signage, I think everyone seems acceptable now, including the freestanding. We still have to sort of grapple with the issue of possible increases to landscaping, but that may not be able to occur. And again, we need to go through and revise the parking table because they really shouldn't be that far off from 2008 to this one. Otherwise you heard a lot of discussion and everyone agreed about a better description of the traffic, you know showing the plans, what the delivery trucks are. We need to show the sewage disposal system area. And then just maybe a little bit firmer number on what the daily, not what the daily vehicle trips are, but how many cars will be going through for the drop off for the relocated daycare. Otherwise it looks like we've, all I heard was positive, positive comments about the architecture. So I'm looking forward to seeing that as Anne Dexter said, the idea that we could see this happening soon really is a "yay" for us. Again, we do appreciate that both Mr. Citera and Mr. DiBrizzi are interested in moving forward at a time, as was pointed out by others, when some towns aren't getting any development right now because of the economy worries and the pandemic. So first I believe we had the resolution to be introduced by Vice-Chair Dexter.

**Vice-Chair Dexter:** But I did want to just ask if Tad had a comment, I saw your hand go up earlier.

**Chairman Dupree:** I'm sorry, I didn't see it.

**Ms. Moss:** I think the as built drawings for the McDonald's will show that there are utilities under that Island, but it's probably worth looking to see if the tree could be moved further West rather than on the corner.

**Ms. Libolt:** Okay. Thank you.

**Chairman Dupree:** Thank you. Thanks Tad. Thanks, Anne, for catching that.

**RESOLUTION CLASSIFYING THE ACTION AND REFERRING THE APPLICATION TO  
DUTCHESS COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT**

**Hyde Park Town Center Park Plaza**

**Date: October 7, 2020**

**Moved By: Vice-Chair Dexter**

**Resolution: # 2020-15**

**Seconded By: Ms. Weiser**

WHEREAS, the applicant, Cosimo Town Center LLC, has submitted an application for site plan approval to make exterior improvements and other alterations to an existing shopping center (the "Project") located at 4240-4260 Albany Post Road, Tax Parcel No. 6064-02-965956, in the Town Center Historic District (the "Property"); and

WHEREAS, the Project is depicted on a site plan entitled “Hyde Park Town Center,” prepared by Berger Engineering and Surveying dated July 15, 2020 and elevations entitled “Park Plaza” prepared by DeGraw & DeHaan, dated July 15, 2020 (the “Site Plan Set”); and

WHEREAS, general commercial uses are permitted in the Town Center Historic District subject to site plan approval; and

WHEREAS, the applicant has submitted a Short Environmental Assessment Form (“EAF”) dated pursuant to the State Environmental Quality Review Act (“SEQRA”); and

WHEREAS, in accordance with SEQRA, the Planning Board is required to determine the classification of the proposed Project; and

WHEREAS, pursuant to 6 NYCRR 617.5(c), reuse of a commercial structure, or of a structure containing mixed residential and commercial uses, where the use is permitted under the zoning law, is a Type II action; and

WHEREAS, the Project is located within 500 feet of US Route 9, also known as Albany Post Road; and

WHEREAS, pursuant to Section 239-m of the General Municipal Law, projects located within 500 feet of a state or county highway must be referred to the Dutchess County Department of Planning and Development for a report and recommendation thereon.

**NOW THEREFORE BE IT RESOLVED, that the Planning Board hereby:**

1. **Classifies the Project as a Type II action under SEQRA.**
2. **Directs its secretary to refer the Site Plan Set to the Dutchess County Department of Planning and Development pursuant to Section 239-m of the General Municipal Law with a request for expedited review.**
3. **Directs its secretary to refer the Site Plan Set to the Hyde Park Fire District and Dutchess County Department of Community and Behavioral Health.**

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

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

**Chairman Dupree:** Thank you. Any further discussion all in favor, please raise your hand and say, aye. Aye. Any nays or abstentions? Motion carries unanimously. May I get a motion to set the public hearing for phase one only of this, for October 21st.

**MOTION: Vice-Chair Dexter**

**SECOND: Ms. DiNapoli**

**To set a public hearing for Phase 1 Exterior Remodeling of Hyde Park Town Center-Park Plaza for the October 21, 2020 Planning Board Meeting.**

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

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

**Chairman Dupree:** Thank you any further discussion. And this is with the proviso that Ms. Libolt has agreed to make accommodations for getting the information out to the adjoining property owners, all in favor, please raise your hand and say aye. Aye. Any nays or abstentions? Motion carries. Thanks Kelly, very much. I'm glad we're going to work this through and we will, Victoria and Councilman Krupnick and I will kind of muddle through how we could handle public comment, allowing the public in at that point on this one application. So trying to get this done with speed.

**Ms. Libolt:** Thank you. Have a great night.

**Ms. DiNapoli:** Thank you. Have a good night.

**Ms. Libolt:** Bye everyone.

**SMALL 148 CREAM STREET RESIDENCE**  
**Site Plan Approval for 2<sup>nd</sup> Single Family Dwelling (#2020-19)**  
**Location: 148 Cream Street, Poughkeepsie, NY 12601**  
**Grid #: 6264-01-210630**

*In Attendance via Zoom:                      Mike Berta, Architecture and Planning*

**Chairman Dupree:** The next item on the agenda is a new second single-family dwelling proposed to be located at 148 Cream Street. Under the name Small. As Mr. Berta doesn't seem to be...Oh, there you are. Mr. Berta is representing the applicants.

**Mr. Berta:** Yes.

**Chairman Dupree:** Let me turn it over to you. I don't think you're going to hear a lot of questions, but you can describe what you're proposing.

**Mr. Berta:** Okay. Well, what we have is, Mr. Small is going to be renovating the current residence on the property and when they knock the house down and they rebuild it, they're

looking at it at least a two year rebuild. So what they're proposing to do is put up a garage with a, it's larger than an apartment, it'll be a single-family residence above it. We'll have two single family residences on a 40, almost a 41-acre piece of property. That'll give us a density of one unit per 20.5 acres. So well within the density that we're allowed. I think we're 16 units per acre by the density.

**Chairman Dupree:** It's one per 2.5 acres in the Greenbelt, where this is located. It's an average, but you're allowed far more. You have plenty of room, have no fear.

**Mr. Berta:** Yes. So we're looking to put that up so that...because they're looking to build that, start that as soon as possible. Dan Kohler of Hudson Land Design is working on the septic with the Health Department right now. **The septic** for the main house is an approved system, so that's **going to** stay where it is. And we're looking to put in a second system for the new residence. It'll be two separate systems. New well for it as well. The driveway - we will be using the same driveway. So it'll share, it'll split off as it comes up. Other than that, I mean, that's really the project in a nutshell.

**Chairman Dupree:** I have to say that when I first heard about this, I wasn't sure about the size. I assumed it would just be a garage apartment. And I have to say that's probably the biggest and prettiest garage apartment we'll have in the entire town.

**Mr. Berta:** They're planning on living in it for, you know, for a couple of years. So they wanted to make it nice. They wanted to make it a home.

**Chairman Dupree:** This is one. Right. I want to also say we're delighted to have them investing in our community because this is really quality development.

**Mr. Berta:** Yes.

**Chairman Dupree:** So at any rate, let me, I don't believe that we're going to have much review by the consultants, Liz or Pete or Victoria or Tad, any comments?

**Mr. Setaro:** No, the only thing I think Liz had a note from your agenda meeting, just wanted me to take a really quick look at the Erosion Control. And then, I mean that's it really.

**Chairman Dupree:** That's what I thought. So comments from the Board, let me start from the top, Ann Weiser?

**Ms. Weiser:** I have no comments. I think it looks pretty great. So congratulations.

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

**Ms. Wasser:** No, I agree. I think it's kind of unique and it looks great. And wouldn't mind living there myself.

**Chairman Dupree:** Ms. Dexter?

**Mr. Berta:** In about two and a half years, you probably could.

**Vice-Chair Dexter:** Perfect. I'll move in then. *Laughter.*

**Mr. Berta:** I'll tell Joe to reach out to you.

**Chairman Dupree:** Any other comments Anne?

**Vice-Chair Dexter:** No, it just looks great.

**Mr. Berta:** Thank you.

**Chairman Dupree:** Chris?

**Mr. Oliver:** It looks great. Good luck. And it looks like a nice garage.

**Chairman Dupree:** And Diane?

**Ms. DiNapoli:** I think we're going to have a slumber party there. Is it five garages or six? Because I only saw five.

**Mr. Berta:** It's four. There are four garage doors.

**Ms. DiNapoli:** Okay, four. Yeah.

**Mr. Berta:** Yeah, Joe actually owns a tractor. That's why one of the garage doors is a little bit taller than the others. He has a small backhoe. Plus a lot of other toys.

**Ms. DiNapoli:** Thank you. And thank him too.

**Chairman Dupree:** I had an opportunity to speak with Mr. Small and Ms. O'Malley, so I got kind of a full idea of what they're doing and it's going to be extensive. They're planning more gardens, lots of stuff around the site. And Mr. Berta's correct, they said straight out that it's going to probably take a year and a half to two years by the time they tear it down and redo everything on the new house. So this is something that they'll be living in for a while. It's a blend of families with lots of children, so that's also why they have so many bedrooms. Otherwise I have no comments either. We are prepared to type the action and refer it. Just a reminder to everyone, even though County Planning normally does not comment on residential applications and they don't even get subdivisions, but because this is a site plan, it nonetheless requires us to refer to County Planning. This is located on a County Road. I believe Ms. Weiser's introducing this resolution.

**Ms. Weiser:** I am.

**RESOLUTION CLASSIFYING THE ACTION AND REFERRING THE APPLICATION TO  
DUTCHESS COUNTY DEPARTMENT OF BEHAVIORAL AND COMMUNITY HEALTH  
AND DUTCHESS COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT**

**Small – 148 Cream Street**

**Date: October 7, 2020**

**Moved By: Ms. Weiser**

**Resolution: # 2020-19**

**Seconded By: Vice-Chair Dexter**

WHEREAS, the applicant, Joseph Small, has submitted an application for site plan approval to construct a second single-family residence (the "Project") on a 41.39 acre lot located at 148 Cream Street, tax parcel no. 6264-01-210630 in the Greenbelt Zoning District (the "Property"); and

WHEREAS, the Project is depicted on a site plan entitled "Proposed Second Single Family Residence for Mr. Joe Small and Ms. Tricia O'Malley" prepared by Michael R. Berta, AIA dated September 12, 2020 (the "Site Plan Set"); and

WHEREAS, a second single family home is permitted by right in the Greenbelt District subject to site plan approval; and

WHEREAS, the applicant has submitted a Short Environmental Assessment Form ("EAF") dated September 18, 2020 pursuant to the State Environmental Quality Review Act ("SEQRA"); and

WHEREAS, in accordance with SEQRA, the Planning Board is required to determine the classification of the proposed Project; and

WHEREAS, pursuant to 6 NYCRR 617.5c(11), construction of a single-family home on an approved lot is a Type II SEQRA action.

**NOW THEREFORE BE IT RESOLVED, that the Planning Board hereby:**

- 1. Classifies the Project as a Type II action under SEQRA and determines it will perform an uncoordinated review; and**
- 2. Directs its Secretary to refer the Site Plan to the Dutchess County Department of Behavioral and Community Health and Roosevelt Fire District for review.**
- 3. Directs its Secretary to refer the Site Plan to the Dutchess County Department of Planning and Development pursuant to § 239-m of the General Municipal Law.**

<b>Aye</b>	<b>Mr. Dupree</b>
<b>Aye</b>	<b>Ms. Dexter</b>
<b>Aye</b>	<b>Ms. DiNapoli</b>
<b>Aye</b>	<b>Mr. Oliver</b>
<b>Absent</b>	<b>Mr. Picket</b>
<b>Aye</b>	<b>Ms. Wasser</b>
<b>Aye</b>	<b>Ms. Weiser</b>

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

**Chairman Dupree:** Any further discussion? All in favor please raise your hand and signify by saying, aye. Aye. Do you want to set the public hearing tonight for a month out? Or should we wait until we get back responses? Mr. Berta how much of a rush for you guys?

**Mr. Berta:** They'd like to start as soon as possible. So if we could possibly set the public hearing for next month, that would be great. Hopefully that would give the County enough time to respond.

**Chairman Dupree:** I'm not really worried about the County and this is, you know, type II. So this should be fairly easy, I think. And I don't think the County's going to have much comment because this isn't going to amount to County wide impacts, but it's a requirement because it's on a County road.

**Mr. Berta:** Right. The reason why we're keeping the same entrance is to minimize the amount of impact on the road.

**Chairman Dupree:** Smart, smart thinking. So may I get a motion to set the public hearing for November 4th?

**MOTION: Vice-Chair Dexter**

**SECOND: Ms. DiNapoli**

**To set a public hearing for Small 148 Cream Street Residence for the November 4, 2020 Planning Board Meeting.**

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

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

**Chairman Dupree:** We had several people ready to second, so any further discussion? All in favor, raise your hand, say aye. Aye. Nays or abstentions? There being none, motion carries. So Mr. Berta, a pleasure to see you again and work with you again.

**Mr. Berta:** It's my pleasure, Michael. Thank you.

**Chairman Dupree:** This will be brief. I can almost guarantee you on this one. Unlike the last occasion. We'll see you back on the fourth.

**Mr. Berta:** I'll see you on the fourth. Thank you so much. And I'll actually be in New York then. Right now I'm calling you from Phoenix, Arizona, from Scottsdale actually.

**Chairman Dupree:** That explains why you're in a tee shirt when it's actually chilly up here.

**Mr. Berta:** Yes, it's 102 degrees. I'm actually in my bathing suit so forgive me.

**Chairman Dupree:** Okay. Thank you. Have a nice night. Stay safe.

**Mr. Berta:** Thank you , see you on the fourth.

**HUDSON VALLEY HOSPICE HOUSE**

**Site Plan & Special Use Permit Approvals and 2 Lot Consolidation (#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:** The next item on the agenda is Hudson Valley Hospice House. And we reviewed this in a sort of workshop format at a meeting a month ago. Ms. Zerfas is back here and Mr. Machado, I believe is here and Mr. Kaminsky are all here. We also have a new review memo from Clark Patterson Lee. I actually earlier sent a note to Liz thanking her for its thoroughness, but also more importantly to introduce at the very beginning, a reason for why we would not have the building moved up front and parking in the rear because it's the nature of this being a healthcare facility. Also the needed location of the site, in terms of where the raised bed septic would have to go, kind of precludes putting the building where you might think it would want to be. Last time, according to my notes, we heard repeated comments about how nice the architecture is, so that's always a plus moving forward. And let me turn it over to you, Mr. Machado or Michele, who wants to move forward from your side?

**Mr. Machado:** I only caught half of the conversation. I just got in.

**Chairman Dupree:** I'm a fast talker too, sadly. So you may have just missed what I had to say anyway. *Laughter.*

**Mr. Machado:** Thanks. Want me to do a quick intro?

**Chairman Dupree:** Sure.

**Mr. Machado:** All right. So the last time we met, we showed you a couple of images and so forth. And then, what has changed since the first and middle. The first two pages, title sheet and the existing conditions remain the same, but we added several more sheets as well as updated the proposed site plan. As far as adding sheets, we added a survey map that was produced by Carney Rhinevault, a landscape plan, an erosion plan, and lighting plans. What also has been revised and the proposed site plan. And the changes that we need since the first preliminary meeting, was added a row of trees along the Violet Avenue, which is also known as Route 9G. Well, you know, along the street face, we put a row of trees. And we also added on the North side parallel or adjacent to several residential lots. We added trees along the parking lot, around the entry of the parking lot and the entry of the access road from Route 9G. We also showed indication of Greenway and added two

islands on each of the parking lots that were proposed. In the lighting plan we indicated the lights are going to be around the main access road that surrounds the whole building. Even though that's in the preliminary phase and also indicated a variety of evergreens and deciduous trees around the property. That's just the gist of it. If anyone has any questions, you know, more details, please let me know.

**Chairman Dupree:** Thank you. I want to point out again, just for the record that this is classified as a residential use. And so technically screening is not required, but the applicants have been very generous about doing it. And we also though do require that there be some way to stop the lights from going onto people's parcels. Going into their houses, perhaps, you know, through back doors, et cetera. So the addition of the landscaping is definitely going to help with all of that. So thank you, Mr. Machado. Let me start off with...Michelle, do you want to add anything?

**Ms. Zerfas:** No. Just, I know that for one of the comments I added the two small Islands, but we're kind of limited on parking. We can't go to the Northeast because the slope gets too steep and that's why I'm on the landscape plan, there's some hatched areas which show we're doing the 15%, if you consider those the appropriate areas. And on the grading plan, it shows the sidewalk that goes along, the proposed sidewalk that's going to go along violet Avenue that unfortunately got dropped off in the CAD on the other drawings. But it'll be on the next set.

**Chairman Dupree:** Okay. Those pesky data layers, as we say. Let me start off with our consultants then, Ms. Axelson comments?

**Ms. Axelson:** Well, I did have a nice conversation with Michele today and found out, in fact, they do have a dart board at their office with my face on it. So I appreciate it. It's all in good humor.

**Ms. Zerfas:** I told Liz, we actually have a revolving line and depending on a reviewer du jour, it sort of changes.

**Ms. Axelson:** Turn it like a clock. So anyway, I tried to do an extensive review. There were kind of two submittals. So I tried to go through everything and give a pretty good set of things to look at. And I just wanted in the first comment to reiterate why we understand that the parking's in front, et cetera, and the functionality of the building. I guess I thought at the last meeting, we were going to see maybe a tiny plaza right up on the road frontage on Route 9G with a couple of benches. That was the concept. A bench or two there for people that have to wait for a bus or whatever. So that's another one of my comments. Let's see, and I was just taking a look at, you know, again, I understand the need for the pull off and the width of the access in front of the building and all that. The one thing that wasn't really clear to me is why there was a sort of circular driveway going around. So I'm asking that perhaps it'd be considered to have some turnarounds instead of having that whole thing go around, unless there's some specific reason. And then another thing that, I don't know if this was brought up at the last meeting, or if it was brought up with the agenda meeting, the idea of having a gravel emergency access over to East Dorsey. And I don't know if there's a way to work that in as sort of another pedestrian amenity. So those are some thoughts. Pete had raised some concerns, obviously engineering concerns, about drainage and the need for a SWPPP so I'll let him touch on that. Then I'm suggesting, and

some of my other comments that, I always encourage applicants to take credit for wooded area. I know there's a request for a waiver for a tree survey and I wouldn't suggest it for this site because it's just a wooded site. You can see it in the aerial photography and perhaps aerial photography could be incorporated into a separate plan sheet to just show that, rather than a tree survey. But the other thing is to try to add some notation and plan labeling that shows that on the outside of limits of disturbance, that there is some existing wooded area that maybe need not be taken down. So it would be labeled as existing wooded area to be retained. And that would kind of provide a natural backdrop for some of the other plantings that you're suggesting. Let's see, and then I have some zoning table comments that are kind of technical, but I think should be easy for you to address. I didn't get too much into detail for site plan standards and requirements, because I think there may be some shifting a little bit, if you end up revisiting that circular driveway. You'll have less impervious surface area. And then I did a pretty comprehensive review of the full environmental assessment form. I'm not really looking for any major reports, maybe just some more facts to be added to the narrative about water usage to address the fact that you have employees in addition to the 14 rooms and visitors. Those are my main points.

**Chairman Dupree:** Thank you, Liz. Mr. Setaro, comments?

**Mr. Setaro:** Sure. So this site, my main concern is stormwater obviously and then also the amount of rock excavation that we might have. As far as the stormwater goes, they're proposing that most of the stormwater will be handled by an infiltration basin in the back. So we need to have a preliminary SWPPP, you know, on this. I think we, you know, we need to have it for SEQR purposes. And I assume that there's been some soil tests done in the back to back up the infiltration method. So I'd like to see a preliminary Stormwater Pollution Prevention Plan on this job, because I think that we'll need it for SEQR purposes. As far as rock goes, you know, it's kind of hard to see now with the leaves down, but I've walked this site before, years and years and years ago with the owner, when he was thinking about, you know, other projects. And if I remember right, there are quite a few rock outcrops here on the site. So I think the applicant needs to quantify the amount of rock excavation for this project. I assume that they've done soil tests throughout the site, but if they haven't done them in the area of where the building's going to be, I think that something has to be done so that we can quantify, the rock excavation or blasting. It's obviously a short-term impact in terms like of noise, but we do have residential areas around the site. So we have to go document rock excavation, not only for noise, but also, we do need to know...all the, all the folks in the area there are on individual wells. So I have a case in another town where we're going through the same thing where we have houses with wells that are close to a proposed site that has quite a bit of rock excavation on it. And there's a concern. And I'm not saying that it's going to be the same thing here, because I think in my other case that the houses are closer to the site than the adjoining houses are from what I saw on parcel access, but I think we need to quantify that. I think they have to locate adjacent wells, anyways for Health Department purposes. So I'd like to see, to get an idea with some kind of an area map, where the wells are on the adjacent houses, in relation to the site and then also to try and quantify as best they can. At this point, what we're looking at in terms of rock excavation, because rock excavation can have an impact on wells. And in my other case, we actually had the applicant have to come up with a well monitoring and a foundation monitoring plan that would be presented to the adjoining owners. And if the adjoining owners agreed to it, then they would have their wells and their foundations monitored. Now again, I'm not saying that that's going to be the case here, but

it is something that I think we need to look at with the fact that the neighbors are on wells. So those are my general comments.

**Chairman Dupree:** An excellent point and I believe all your comments are embedded within Liz's memo from CPL. And actually a lot of the geotechnical analysis you're asking for to be quantified, the rock excavation, et cetera, approximately how much. You're asking for that to go into the EAF. And now, Pete, you're going to kill me when I say this, but it's because...

**Mr. Setaro:** Never, never, never, never, never.

**Chairman Dupree:** Well, you never know, but it's because Mr. Berger was the one who sort of brought this up to me, but when you were saying, we need the SWPPP, we do need this preliminary SWPPP, but in terms of SEQR, I've been sort of persuaded that stormwater really isn't a SEQR issue because either they get the SWPPP approved or they don't. That noted, everything else you mentioned about the rock, et cetera, is part of SEQR because it has direct impacts. The only time I think we held open SEQR based on stormwater was really for the original hotel at the CIA, because that stormwater was such a mess, where it was going, that they had to relocate the building. So we couldn't close SEQR, until they finished that. Victoria?

**Ms. Polidoro:** I mean, I'm going to agree with Pete that you at least need to know that stormwater can be dealt with.

**Chairman Dupree:** Oh, of course. In terms of, it's education for the Board. I don't think it's necessarily a SEQR issue, unless it requires changes to the design.

**Ms. Polidoro:** But they need to address stormwater and stormwater impacts and prove to the Board that any design that they're proposing, you know, we'll be able to treat it on site.

**Mr. Setaro:** And especially, especially in the back. I believe, I'd have to look at the plan again, but I believe that there might be an overflow onto adjacent property. So we do need to know that the infiltration basin will be able to handle it and you're not supposed to increase the amount of water leaving your site.

**Chairman Dupree:** Post development must be equal to pre-development.

**Mr. Setaro:** Excellent. Excellent. Excellent.

**Ms. Polidoro:** The last time this was a serious issue was Dollar General, where we didn't want to move forward.

**Mr. Setaro:** Same thing, yeah, exactly right.

**Ms. Polidoro:** I don't know if this will rise to that level. I defer to the experts.

**Ms. Axelson:** But we need enough of a SWPPP or a drainage plan to at least have a concept in the final days.

**Mr. Setaro:** Yeah, like, honestly, I mean, I don't know that we need a full, I don't want to say a full, preliminary SWPPP cause that doesn't really, that doesn't really sound right. But I mean, really all I need are some backup calculations that would show the amount of water, going there and that the soils will be able to infiltrate it. All the other bells and whistles that come with a SWPPP in terms of like the narratives and you know this and that, I mean, that kind of stuff can like, wait. We just need some engineering calculations that will prove that the infiltration basin can handle it.

**Ms. Axelson:** It is 6 acres of disturbance so.

**Chairman Dupree:** It's a large amount. And I do want to point out just for everyone to recall, they are also before the ZBA seeking a variance from scale, a rather sizable variance. This noted because the variance has to be for the parcel because they're required to grant only the minimum necessary. This is two parcels right now. So we need to both conclude subdivision as well as conclude SEQR before the ZBA can act on the variance application. So this doesn't sound like it should be anything hard, but it's just a little complicated in terms of where everything falls into place. And that's why I said we have a resolution in order to get this going, to refer this to the County Department of Planning and Development, get started on it and also to send out for SEQR notices to all the interested and involved agencies. Anything else, Pete for tonight on this?

**Mr. Setaro:** No.

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

**Ms. Moss:** No, no comments at this time.

**Chairman Dupree:** Thank you. Ms. Polidoro, comments?

**Ms. Polidoro:**

I didn't see a sidewalk. Was there a sidewalk on the submission?

**Chairman Dupree:** A data layer fell off.

**Ms. Polidoro:** Oh, okay.

**Chairman Dupree:** It's shown. CAD issues. Let me start with our Board Members. Let me start with Ms. DiNapoli, comments?

**Ms. DiNapoli:** I want to thank them for again, investing in our town. It's nice to have more than one big project on our agenda. Thank you.

**Chairman Dupree:** Thank you. Mr. Oliver?

**Mr. Oliver:** I will echo Diane's comment. It's surprising, you know, despite what's going on, that people still are coming in and investing in our Town and I hope it keeps going that way. So thank you.

**Chairman Dupree:** Me too. It's exciting. Vice-chair Dexter?

**Vice-Chair Dexter:**

I echo that, but you know, again, just seeing, seeing the architecture, it's such a beautiful, it's just really eye catching and it looks peaceful. So I do like that. But I am just a little bit concerned about the infiltration because, just down the road from there, I was on a project for the SPCA and we continued to run into all kinds of issues with rock. And so I'm hoping that you have patches of dirt in there somewhere that you can utilize. And it's hard rock too. It's not the nice soft rock, so good luck.

**Chairman Dupree:** Anne is referring to the fact that the SPCA, they needed to connect to a municipal water line and the cost to go underneath 9G with the rock was substantial. Ms. Wasser, comments?

**Ms. Wasser:** Yes, I agree with all the previous comments from my colleagues. Last time I did talk about the screening along the front edge. I understand why the parking...I now I have some clarity around why the parking is where it is, but I am still focused on seeing a pretty good screening there along the whole edge with low plantings, as well as trees, but I am really very supportive of the project and delighted to see it.

**Chairman Dupree:** Thank you Stephanie. Ms. Weiser?

**Ms. Weiser:** I have nothing to add. I just want to say thank you and I'm looking forward to seeing you get some movement on this.

**Chairman Dupree:** And I don't really have any other comments either because I agree with my colleagues. I'm very supportive of the project as well. I do think what Stephanie just added with not just trees, but maybe doing some low plantings along the edge of the parking would also better block the lights. Mr. Machado, this is your first time to work with our Planning Board, but Michelle is very seasoned. She's a veteran. So she knows how to respond to Liz's memo. There'll be a point by point. Again, most of my comments are actually also in Liz's memo. That's why I thought it was really thorough and well done. I appreciate that you made the application more complete and whole and that's why we're prepared to take action tonight. Like I said, to get everything started. I believe the resolution will be introduced by Ms. Dexter.

**RESOLUTION TYPING ACTION AND REFERRING THE APPLICATION TO THE  
DUTCHESS COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT**

**HUDSON VALLEY HOSPICE HOUSE**

**Date: October 7, 2020**

**Moved By: Vice-Chair Dexter**

**Resolution: # 2020-17**

**Seconded By: Ms. DiNapoli**

WHEREAS, the applicant, Hudson Valley Hospice, Inc., has submitted an application for site plan and special permit and subdivision approval to establish a residential care facility (the "Project") on property identified as 31 E. Dorsey Lane and 542 Violet Avenue, Tax Grid Nos. 6163-02-570735 and -552748 (the "Property"), in the Neighborhood Core Zoning District; and

WHEREAS, residential care facilities are permitted in the Neighborhood Core District subject to site plan and special use permit approval; and

WHEREAS, the proposed Project will exceed the maximum permitted scale of 6,000 gross square feet; and

WHEREAS, the Project is depicted on a site plan entitled "Site Plan Prepared for Hudson Valley Hospice," prepared by MAG Designs (the "Site Plan Set"); and

WHEREAS, the applicant has submitted a Full Environmental Assessment Form ("EAF") dated August 17, 2020; and

WHEREAS, in accordance with the New York State Environmental Quality Review Act ("SEQRA"), said Board is required to determine the classification of the Project; and

WHEREAS, pursuant to Section 239-m of the General Municipal Law, projects located within 500 feet of a state highway must be referred to the Dutchess County Department of Planning and Development for a report and recommendation thereon.

**NOW THEREFORE BE IT RESOLVED, that the Planning Board hereby:**

- 1. Classifies the Project as an unlisted action under SEQRA;**
- 2. Classifies its intent to serve as lead agency in a coordinated review of the Project and directs its Secretary to send notice of its intent to all involved and interested agencies.**
- 3. Directs its secretary to refer the application to the Dutchess County Department of Planning and Development pursuant to Section 239-m of the General Municipal Law.**

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

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

Involved and Interested Agencies

NYS Department of Environmental Conservation  
NYS Department of Transportation  
NYS Department of Health  
Dutchess County Department of Public Works  
Dutchess County Department of Behavioral and Community Health  
Hyde Park Conservation Advisory Council  
Hyde Park Zoning Board of Appeals

Fairview Fire District  
Roosevelt Fire District

**Chairman Dupree:** Thank you. Any further discussion? All in favor, please raise your hand, say aye. Aye. Any nays or abstentions? The motion carries. Just for the record, this will be circulated to the Department of Environmental Conservation for SPDES Permit. The Department of Transportation because the entrance is located on Violet Avenue or Route 9G. The New York State Department of Health, because we need to show a certificate of need, I gather, for this. Dutchess County Department of Public Works, just in case. Dutchess County Department of Community and Behavioral Health for the septic as well and water supply. The Hyde Park Conservation Advisory Council, the Hyde Park Zoning Board of Appeals, Fairview Fire District and Roosevelt Fire District, because this parcel is actually is in two fire districts as well. So anything from the applicants, Michelle, Michael, Jaime?

**Mr. Machado:** Just a quick question, as far as the fire department, anyone in particular, in both departments who I should contact, as far as submitting the drawings?

**Chairman Dupree:** You supply those to us, and then we mail them out. We submit them. I saw Liz's hand raised, I believe.

**Ms. Axelson:** I usually try to do this during public meetings. We have a lot of comments and I just want to make sure it's okay with the Board, if the applicant so desires to have offline consultation with Pete and I.

**Chairman Dupree:** Always. Michelle, any questions from you or Mr. Kaminsky, questions, comments from you?

**Ms. Zerfas:** Just one thing it's not infiltration, it's filtration, which has regulation which are different for filtration than infiltration.

**Ms. Axelson:** Is Pete on your dart board?

**Ms. Zerfas:** Anybody who writes a review letter is on my dartboard.

**Mr. Setaro:** Well, we have one also for like consultants too, that, you know, submit to Boards. So don't think that you're the only one who has one.

**Chairman Dupree:** Mr. Kaminski?

**Mr. Kaminski:** I want to thank the Board for moving this project along. I appreciate the resolution today and I'm looking forward over the course of the next number of months for some conditional resolutions.

**Chairman Dupree:** As you can see, we're all excited about the project.

**Mr. Kaminski:** Yes. I appreciate that. I will communicate that to our Board. They will appreciate that.

**Chairman Dupree:** Thank you. There's a need for this. We all know, and we're happy that you chose Hyde Park to do it. So I feel very fortunate. And by the way, Liz, I'm pretty sure I've been on several dartboards myself as well. It's just something that goes with the turf. So you learn to live with it. Anyway, we'll get this started. And then, where are you with the ZBA right now?

**Mr. Kaminski:** We had one meeting and the next one they scheduled us for the end of this month.

**Ms. Zerfas:** The public hearing will be October 28th, but it will be left open until SEQR's completed.

**Chairman Dupree:** We conclude SEQR.

**Ms. Zerfas:** The ZBA was, I'll say fairly positive. They didn't say anything negative.

**Chairman Dupree:** That's nice to hear. I'm not sure they're always very directional, so that's actually very, very good to hear. At any rate, so then we will wait to hear back from the agencies and then see what we can do. Am I right Victoria, that we need to do the Subdivision, then SEQR or SEQR then Subdivision?

**Ms. Polidoro:** No, we have to do SEQRA first.

**Chairman Dupree:** That's what I thought, because it's subdivision. We have to conclude SEQR before we close the public hearing on the subdivision.

**Ms. Polidoro:** Correct. Well, we don't even have to schedule the public hearings until they get their variances.

**Chairman Dupree:** Oh, that's right.

**Ms. Polidoro:** Although, their variance may be contingent on it. Let's talk about it.

**Chairman Dupree:** Yeah, Victoria and I will work this out and come up with an actual little timeline here so we can work it out with you guys. Okay. Thank you. Good to see you all.

**Ms. Zerfas:** Thank you.

**Mr. Machado:** Stay safe everyone, thank you.

**OTHER BUSINESS:**

**HOROWITZ, RICHARD**

**Site Plan Waiver Approval Ground Mounted Solar Array (#2018-18)**

**Location: 298 Mills Cross Road Staatsburg, NY 12580**

**Grid#: 6167-02-910669**

*In Attendance via Zoom:*

*Lea Springstead, Suncommon*

**Chairman Dupree:** The next item on the agenda is a site plan waiver for an improvement of a ground mounted solar array to be located 298 mills Cross Road. This is the Horowitz's. And I believe Ms. Springstead is probably here, but in essence, some screening, some forsythia, staggered planting, has been proposed to screen the array. It's set fairly far back, but not that far back. It is visible from Mills Cross. Although Mills Cross is so twisty and windy that you have to really kind of aim your neck to see these things. And you would be endangering your fellow passengers there, in my opinion. Does anyone have any questions for the applicant's representative? There being none, I believe that Ms. DiNapoli's going to introduce this resolution.

**Richard Horowitz**  
**6167-02-910669**  
**298 Mills Cross Road**  
**SITE PLAN Waiver**  
*Town Code Section 108-9.4 C 2*

**Date: October 7, 2020**

**Resolution: #2020-18**

**Motion by: Ms. DiNapoli**

**Seconded By: Vice-Chair Dexter**

***Whereas*, a request for Site Plan Waiver has been made to the Town of Hyde Park Planning Board by Richard Horowitz for a free-standing ground mounted solar array associated with a single-family home requiring a building permit, and,**

*Whereas*, the Planning Board has reviewed the request for this permit in consideration of the requirements established in Chapter 130-6, and

*Whereas*, the proposed change is declared a Type II action under SEQRA, and

*Whereas*, the proposed development does meet the zoning code bulk regulation requirements, and

*Whereas*, the proposed changes are minor in nature, and

*Whereas*, Section 108-9.4 C 2, allows the Planning Board to waive the site plan procedures for minor changes requiring a building permit, and

*Whereas*, the Zoning Administrator has recommended that for this change it is appropriate to waive the site plan requirements, and

*Whereas*, no other changes have been requested at this time and whereas the applicant is required to return to the Planning Board for all other changes to the approved plans, now

***THEREFORE BE IT RESOLVED*, that the Town of Hyde Park Planning Board hereby waives site plan requirements for the proposed ground mounted solar panel system as described in the**

building permit received by the building department August 13, 2020, including supplemental information for screening presented to the Planning Board and per the request to the Planning Board dated September 10, 2020 and as modified for additional screening on September 17, 2020.

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

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

**Chairman Dupree:** Thank you. Before I ask for a vote, I just want to point out, I forgot to, that we did have a recommendation from Ms. Moss for the waiver itself as required by code. Any further discussion? All in favor, please raise your hand, say aye. Aye. Any nays or abstentions? That motion carries.

**Approve Planning Board Meeting Minutes for September 16, 2020.**

**Chairman Dupree:** The last item on the agenda is to approve the Planning Board meeting minutes for September 16th, 2020. Has everyone had a chance to review them? And I want to thank as always Cynthia for diligently working to get these out verbatim. There is a tool that the Town pays for, to assist, but as I've said before, if you saw like she first sees, it's pretty wacky. So anyway, I need a motion to approve.

**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**

**Chairman Dupree:** Thank you. All in favor please raise your hand and say aye. Aye. Thank you.

**ADJOURNMENT**

**Chairman Dupree:** There being no other business, may I get a motion to adjourn?

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

**To adjourn.**

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

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

**Chairman Dupree:** Thank you. All in favor. Aye. Any nays or abstentions? Okay. Thank you. Thank you, Councilman Krupnick and Supervisor Rohr again for providing the resources for these and thanks everyone for working together so collegially. Thanks. Goodnight.

**\*\*Motion made at the November 4, 2020 Hyde Park Planning Board Meeting\*\***

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

**To approve the minutes of the October 7, 2020 Planning Board Meeting.**

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

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